



HAMILTON COUNTY

Regional Planning Commission

Commissioners

Hal Franke
John Linnenberg
Melvin D. Martin
Donald Misrach
David Okum
M. Larry Sprague
James R. Tarbell

Executive Director

Ronald P. Miller, FAICP

Cities

Blue Ash
Cheviot
Cincinnati
Deer Park
Forest Park
Harrison
Lincoln Heights
Loveland
Madeira
Milford
Montgomery
Mount Healthy
North College Hill
Norwood
Reading
St. Bernard
Sharonville
Silverton
Springdale
Village of Indian Hill
Wyoming

Villages

Addyston
Amberly Village
Arlington Heights
Cleves
Elmwood Place
Evendale
Fairfax
Glendale
Golf Manor
Greenhills
Lockland
Mariemont
Newtown
North Bend
Terrace Park
Woodlawn

Townships

Anderson
Colerain
Columbia
Crosby
Delhi
Green
Harrison
Miami
Springfield
Sycamore
Symmes
Whitewater

Memo

To: Board of County Commissioners

Copy to: Boards of Township Trustees in Hamilton County
Township Zoning Administrators
Ohio Valley Development Council
Hamilton County Department of Public Works
Hamilton County General Health District
Hamilton County Engineer
Hamilton County Soil and Water Conservation District
Metropolitan Sewer District of Greater Cincinnati
Greater Cincinnati Water Works
Cincinnati Area Geographic Information System
Hamilton County Regional Planning Commission
Patrick Thompson
Jeff Aluotto

From: Ron Miller, Executive Director
Hamilton County Regional Planning Commission (HCRPC)

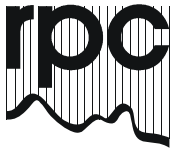
Re: HCRPC Subdivision Regulation Amendments

Date: August 9, 2006

Attached for your review and consideration are proposed amendments to the *Rules and Regulations of the Hamilton County Regional Planning Commission for Plats and Subdivisions of Land within the Unincorporated Territory of Hamilton County, Ohio*. The proposed amendments were approved by HCRPC on August 3, 2006. As required by ORC 711.10, HCRPC is transmitting the approved amendments to you for adoption.

The attached staff report describes the purpose of the amendments, the review and public hearing process, and all amendments as approved by HCRPC. The amendments have been reviewed by all agencies listed above. The Hamilton County Prosecuting Attorney has reviewed the amendments and recommended revisions, which have been approved by HCRPC and included in the attached document.

The County Commissioners' public hearing on this matter is scheduled on September 13, 2006 at 10:00 a.m. Public notice (Community Press) is scheduled on August 16th. A staff meeting has been scheduled on September 11th.



HAMILTON COUNTY REGIONAL PLANNING COMMISSION **STAFF REPORT**

FOR CONSIDERATION BY RPC ON 6-1-06, 7-6-06, AND 8-3-06
FOR CONSIDERATION BY BOCC ON 9-13-06

**SUBDIVISION
TEXT AMENDMENT
CASE:**

HCRPC - 2006-01

Hamilton County Subdivision Resolution Text Amendments

PURPOSE:

To amend the Rules and Regulations of the Hamilton County Regional Planning Commission for Plats and Subdivisions of Land within the Unincorporated Territory of Hamilton County, Ohio for the following purposes:

1. to assure compliance with revisions in state law (per Senate Bill 115) by revision of application requirements
2. to enable centralized and expedited processing of applications by adopting a consolidated application form for HCRPC, HCDPW, HCGHD, HCE, HCSWCD, MSDGC, GCWW
3. to enable digital or electronic submission of plans, reports or other documents.
4. to clarify criteria for use of private streets, assure adequate easement area for utilities, and clarify that private streets must comply with public street construction standards described in the Rules and Regulations of the County Engineer
5. to reduce the need for private streets, and encourage construction of public streets whenever possible, by adopting public street standards with reduced right-of-way and pavement width for compact development in Planned Unit Developments (PUDs)
6. to reflect the availability of a "PUD Public Street", identify criteria for approval of this smaller street standard, and create consistency with Hamilton County Engineer's regulations
7. to clarify definitions and criteria for approval of cul-de-sac streets providing access to more than 30 lots
8. To provide the option of a consolidated agency review conference in the sketch plan process

To expedite the Preliminary Plan review cycle by enabling RPC conditional approval subject to certification of compliance with all other applicable laws and rules of other offices and agencies having jurisdiction (as now permitted by state law)

INITIATED BY:

Hamilton County Regional Planning Commission on May 4, 2006
(for amending Sections 3.2, 5.6, 5.7, 5.8, 12.3 and related sections)

LOCATION: The text amendment is applicable to the twelve townships in Hamilton County.

PROCESS:	April 7	Transmittal to townships, departments, and OVDC
	Apr. 7-24	Review and written comments from townships, departments, and OVDC
	Apr 24-27	Revisions to staff recommendations
	May 1	Transmittal to HCRPC
	May 4	RPC review and initiation of subdivision regulations
	May 8	RPC Public Hearing Notice
	May 24	Email notice/reminder to townships regarding availability of recommendations on website
	June 1	RPC Public Hearing (continue to July 6)
	June 29	Transmittal of revised recommendations to townships, departments, and OVDC
	July 6	RPC Public Hearing (continue to August 3)
	July 7	Request for Prosecutor's review and recommendations and transmittal of revised recommendations to townships, departments, and OVDC
	August 3	RPC Action and certification to Board of County Commissioners (BOCC)
	August 16	BOCC Public Hearing Notice
	September 11	BOCC Staff Meeting
	September 13	BOCC Public Hearing
	Sept/Oct	BOCC Adoption
	Oct/Nov	HCRPC Adoption

COMMENTS: OVDC COMMENTS:
On May 23rd the Ohio Valley Development Council submitted the following comments:

-
- 1) 12.3.6 (c) (3) – Define “through street”.
RPC Staff Recommendation: Clarify with the following revision.
(3) Circulation - No PUD Public Street shall serve as a ~~through-street~~ collector or arterial street.
 - 2) 12.3.6 (c) (4) – We recommend allowing the use of the “PUD Public Street” standards in multi-family developments. However, the additional parking requirements for multi-family subdivisions should be waived and parking shall be required as per local zoning code.
RPC Staff Recommendation: Clarify with the following revision.
“(4) Off-street Parking - A minimum of four off-street parking spaces shall be provided per single family dwelling unit (e.g., two enclosed parking spaces and two off-street parking spaces on a driveway).”
 - 3) 5.6.2 (a) – Change “Final Plat” to “Preliminary Plat”.
RPC Staff Recommendation: Clarify with the following revision.
“Submittal of a digital image (as defined in section 3.2) of the ~~Final Plat~~ Preliminary Subdivision Plan, through either email or recordable media, in addition to required prints is encouraged but not required.”
 - 4) 5.6.2 (b) (19) – Why tie this to the Preliminary Plat? This is a MSD issue. The Planning Commission should be able to approve the preliminary plat contingent upon receiving Lift Station approval from MSD and the County Commissioners.
RPC Staff Recommendation:
No additional revision is recommended since this requirement was recommended by MSD.
 - 5) 5.6.6 – 35 business days seems excessive, what is the purpose for the change? 30 calendar days seems more than adequate. This is similar to Section 5.8.4, which provides 30 days for a final plat.
RPC Staff Recommendation:
The state law was recently amended to enable adequate time for processing preliminary plans. The sections (5.6.6 and 5.8.4) are not similar in time requirements since the final plat can usually be approved by staff at any time while the preliminary plan requires RPC approval at a monthly meeting and submission at least 14 days before the meeting. To enable processing of preliminary plans submitted one to 13 days before a monthly meeting requires the rule to be revised to allow RPC action within at least 44 calendar days (i.e., 31 + 13). We requested an opinion from the Hamilton County Prosecutor regarding our use of 45 calendar days. The Prosecutor advised that the use of 45 calendar days may sometimes conflict with state law which requires action within 35 business days.
 - 6) 5.6.7 – We request a 2 year approval time period between construction sections to account for the amount of time it takes to accommodate the increasing amount of regulations and approvals required to begin construction. According to 5.7.7, Improvement Plans are good for 2
-

years.

RPC Staff Recommendation:

Amend section 5.6.7 to allow a two year time limit.

- 7) 5.7.2 (b) (11) – Note the requirement to show locations of debris pits was deleted from the preliminary plat section.

RPC Staff Recommendation:

Delete section 5.7.2(b)(10) as follows.

~~(10) Plans, cross sections, details and specifications related to debris pits as located on the approved Preliminary Plan.~~

RECOMMENDED MOTION: To approve the Subdivision Text Amendments in Case 2006-01 (amending the Rules and Regulations of the Hamilton County Regional Planning Commission for Plats and Subdivisions of Land within the Unincorporated Territory of Hamilton County, Ohio) including all revisions recommended by staff per Attachment A, and including 20 additional revisions presented and recommended by staff on August 3, 2006 based on agency and public comments; and to transmit the approved text amendment to the Board of County Commissioners for public hearing and adoption of the text amendments.

NOTE:

ORC 711.10 precludes a planning commission from adopting any requirements for the construction of improvements or performance guarantees unless such requirements have first been adopted by the county commissioners after a public hearing. Therefore, HCRPC will officially adopt the amendments after BOCC adoption.

NOTE:

Recommendations and findings in this staff report reflect the opinions of the staff of the Hamilton County Planning and Zoning Department, but may not necessarily reflect the recommendation of any Commission. This staff report is primarily a technical report on the level of compliance with adopted land use regulations and plans. The report is prepared in advance of public hearings and often in advance of other agency reviews. Additional information from other agency reviews and public review is considered by appointed commissions and elected boards. Therefore, the advisory and final decisions of such commissions and boards may result in findings and conclusions that differ from the staff report.

Prepared by:

_____, Subdivision Process Coordinator
Mark Abell

_____, Development Review Administrator
Todd Kinskey, AICP

_____, Executive Director
Ron Miller, FAICP

ATTACHMENT A

Proposed Amendments

TO THE RULES AND REGULATIONS OF THE
HAMILTON COUNTY REGIONAL PLANNING COMMISSION
FOR PLATS AND SUBDIVISIONS OF LAND
WITHIN THE UNINCORPORATED TERRITORY
OF HAMILTON COUNTY, OHIO.

Approved by:

Hamilton County Prosecuting Attorney on July 21, 2006
Hamilton County Regional Planning Commission on August 3, 2006

HCRPC Public Hearings:

June 1, 2006
July 6, 2006
August 3, 2006

Board of County Commissioners Public Hearing:

September 13, 2006 at 10:00 a.m.

Notes:

The proposed amendments include revisions, submitted by the Ohio Valley Development Council, County Engineer, Metropolitan Sewer District, Department of Public Works, Board of Health, and the Planning and Zoning Department, as approved by the Hamilton County Regional Planning Commission

Proposed amendments are underlined if recommended to be added and struck through if recommended to be deleted.

3.2 DEFINITION OF TERMS.

[Note: the following definitions and revisions are proposed to be added to Section 3.2]

DIGITAL. Data or information that is generated, stored, and/or processed electronically in a computer.

DIGITAL IMAGE. Electronic or scanned data or information viewable as an image in a computer and transmitted in a format compatible with the Cincinnati Area Geographic Information System (CAGIS).

DIGITAL SUBMISSION. Electronic submission of plans, reports or other documents as a digital image.

STREET, PRIVATE (NONPUBLIC). A means of ~~public~~ ingress and egress located within an easement of access serving more than six (6) lots, not dedicated or intended to be dedicated to the County by recorded instrument, that is maintained by the ~~party or parties using property owners benefiting from~~ such ~~private-nonpublic~~ street for private access.

STREET, PUD PUBLIC. A street with reduced right-of-way and pavement width in a residential planned unit development that has been approved as a subdivision by the Hamilton County Regional Planning Commission and that complies with the County Engineer's typical section and other details of construction.

SUBDIVISION. A subdivision shall mean:

- (1) The division of any parcel of land shown as a unit or as contiguous units on the last preceding ~~general tax roll~~ list and duplicate of real and public utility property, into two or more parcels, sites, or lots, any one of which is less than five acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt;
or
 - a. A division or partition of land into parcels of more than five acres not involving any new streets or easements of access.
 - b. The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites.
- (2) The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any public or private street or streets, except private streets ~~serving~~ serving industrial structures; or
- (3) The division or allocation of land as open spaces for common use by owners, occupants or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage or other ~~public~~ similar facilities.

[NOTE: ALL PROCEDURES IN THIS SECTION HAVE BEEN REVISED
TO BE CONSISTENT WITH TEXT AMENDMENTS]

SECTION 4

CLASSIFICATION OF SUBDIVISION REQUESTS;

GENERAL PROCEDURE

4.1 REVIEW AND CLASSIFICATION BY SUBDIVISION ADMINISTRATOR. All proposed divisions of land except as exempted pursuant to Section 1.5 shall be presented to the Subdivision Administrator for his review and classification thereof, as constituting a minor subdivision or a major subdivision pursuant to Section 1.6 and the respective definitions thereof set forth in Section 3.

4.2 APPROVAL STEPS FOR MINOR AND MAJOR SUBDIVISIONS. Approval of a division of land for a minor subdivision shall involve two (2) required steps pursuant to Section 4.2.1. Approval of a division of land for a major subdivision may be accomplished by either of two alternative procedural sequences as set forth in Section 4.2.2. (See Chart Summary of Approval Steps for Major Subdivisions, Minor Subdivisions and Exempt Subdivisions following this Section 4.)

4.2.1 Minor Subdivision (Lot Splits).

- (a) Sketch (Concept) Plan review pursuant to Section 5.5.
- (b) Subdivision Administrator approval without plat pursuant to Section 5.5.3

4.2.2 Major Subdivision

Alternative I

- (a) Sketch (Concept) Plan review pursuant to Section 5.5 ~~(Optional)~~
- (b) Preliminary Subdivision Plan approval pursuant to Section 5.6 ~~(Optional)~~
- (c) Improvement (Construction) Plans approval pursuant to Section 5.7 ~~(Optional)~~
- (d) Final (Record) Plat approval pursuant to Section 5.8. ~~(Required pursuant to O.R.C. Section 711.10)~~

Alternative II

- (a) Sketch Plan review pursuant to Section 5.5 (Optional)

- (b) Final (Record) Plat approval pursuant to Section 5.8. ~~(Required pursuant to O.R.C. Section 711.10)~~

4.3 CHART SUMMARY OF APPROVAL STEPS.

Major Subdivisions Requiring New Public Improvements--Alternative I (See Chart at page 4-3)

Major Subdivisions With Public Improvements Already Built or Assured Prior to Application--Alternative II (See Chart at page 4-7)

Minor Subdivisions (See Chart at page 4-9)

Exempt Subdivisions (See Chart at page 4-11)

Note 1. Time limits specified in charts reflect the requirements and intent of applicable provisions in the Ohio Revised Code.

Note 2. See Appendix A for explanation of abbreviations and list of applicable regulations and agencies.

HAMILTON COUNTY REGIONAL PLANNING COMMISSION

SUBDIVISION APPROVAL STEPS FOR MAJOR SUBDIVISIONS REQUIRING NEW PUBLIC IMPROVEMENTS

ALTERNATIVE I (4.2.2)

Alternative I is recommended for all subdivisions where public improvements will be constructed after submittal of application. See Alternative II for frontage subdivisions and other major subdivisions where all public improvements are completely built or assured.

GENERAL PROCEDURE

STEP	RESPONSIBILITY	DELIVER TO	TIME LIMIT
G-1 Notify of Intent to Subdivide (4.1)	Applicant	Subdivision Administrator	
G-2 Request Pre-Application Conference	Applicant	Subdivision Administrator	

GENERAL PROCEDURE PRE-APPLICATION CONFERENCE

STEP	RESPONSIBILITY	DELIVER TO	TIME LIMITSCHEDULE
G-1 Notify of Intent to Subdivide (4.1)	Applicant	Subdivision Administrator	
1. G-2 Request Pre-Application_Conference	Applicant	Subdivision Administrator	
2. Pre-Application Conference	Subdivision Administrator		
3. Identify any Concept Approvals that will be required	Subdivision Administrator	Applicant	Within <u>5 working days</u> max after Conference

SKETCH (CONCEPT) PLAN PROCEDURE (Optional)

STEP

RESPONSIBILITY

DELIVER TO

SCHEDULE TIME LIMIT

1. S-1 Submit Sketch Plan (and Optional: Request Consolidated Agency Review Conference (4.2.2; 5.3.1; 5.4) if desired by applicant)	Applicant	Subdivision Administrator	 — 5 working days max. —
2. S-2 Transmit Sketch Plan Completeness Report and schedule Pre-Application Conference (Optional: If requested by applicant, transmit Sketch Plan to agencies and schedule Consolidated Agency Review Conference)	Subdivision Administrator (Subdivision Administrator)	Applicant (if incomplete) (Agencies)	Within <u>5 working days max.</u> after submittal Within 5 working days after submittal —
3. Pre-Application Conference (Optional: If requested by applicant, hold Consolidated Agency Review Conference)	Subdivision Administrator (Subdivision Administrator)	Applicant (Applicant and Agencies)	Within 5 working days after submittal Within 10 working days after transmittal to agencies
(if requested by applicant) S-3 Transmit Regulatory Compliance Report 4. Sketch Plan approval	Subdivision Administrator	Applicant (Sketch Plan Approval good for 1 year)	5 working days max. — Sketch Plan Approval expires in 1 year

PRELIMINARY SUBDIVISION PLAN PROCEDURE

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE/TIME LIMIT
1. <u>Submit Preliminary Subdivision Plan and Fee</u>	<u>Applicant</u>	<u>Subdivision Administrator</u>	<u>At least 14 calendar days before the RPC meeting at which action is desired</u>
P 2 <u>Transmit Initial Application Completeness (5.1.3; 5.6.4)</u>	Subdivision Administrator	Applicant	
P 3 <u>Transmit Concept Requests for Concept Review</u>	Applicant	C.E., M.S.D., C.W.W., D.P.W., T.T., Z.A. & other agencies	↑ Response time is 10 working days max. (if review requested by Subdivision Administrator) ↓
P 4 <u>Transmit Concept Recommendations & Required Revisions (5.3.2a; 5.6.2; 5.6.3)</u>	C.E., M.S.D., C.W.W., D.P.W., Z.A., T.T. & other agencies	Applicant	
P 5 <u>Transmit Revisions</u>	Applicant	Applicable Agencies	
P 6 <u>Transmit Concept Acceptance (5.3.2d) Revised Prelim. & Fee</u>	Each Agency Applicant	Subdivision Administrator & Applicant	
P 7 <u>Submit Revised Prelim. Plan & Fee (Official Application) (5.6.2; 5.6.4)</u>	Applicant	Subdivision Administrator	↑ 5 days max. ↓
2. P 8 <u>Transmit Official Application-Notify Applicant if Application is Inef Completeness Report (5.1.3b)</u>	Subdivision Administrator	Applicant (if incomplete)	<u>Within 5 working days after submittal of the application</u>
3. <u>Notify Agencies of Application (and transmit plan); request concept approvals as needed)</u>	<u>Subdivision Administrator</u>	Applicant <u>Agencies</u>	<u>Within 5 working days after submittal of the application</u>
4. <u>Agencies certify concept approvals or reports (if requested)</u>	<u>Agencies</u>	<u>Subdivision Administrator</u>	<u>Within 10 business days from the date of request from the Subdivision Administrator</u>
P 9 <u>Transmit Summary Regulatory (Concept) Compliance Report</u>	Subdivision Administrator	RPC & Applicant	↑ 7 days min. ↓
5. P 10 <u>Transmit Notice of Placement on RPC Agenda (5.6.5a)</u>	Subdivision Administrator	Township (certified) Clerk and Applicant	↑ Within 5 days after receipt of a complete application and at least 7 days prior to RPC Meeting ↓

<ul style="list-style-type: none"> P 11RPC Public Hearing Motion to Consider Approval of Prelim. Plan (5.6.5e) Motion to Consider Approval of Final Plat Subject to Conformance with Prelim. Plan & Construction (Improvement) Plans (5.6.5f) 			
<u>6. P 12</u> Transmit Notice of Decision and Copy of Plan (5.6.5g)RPC Public Hearing	Subdivision Administrator Subdivision Administrator	Township, and Applicant & Agencies (Prelim. Plan approval good for 1 year unless extended by RPC)	Within 35 business days of submission of the complete application (RPC considers applications subject to conformity with all applicable laws and rules of all offices and agencies having jurisdiction)
7. Transmit Notice of Decision and Copy of Plan	Subdivision Administrator	Township and applicant	





IMPROVEMENT (CONSTRUCTION) PLANS PROCEDURE

STEP	RESPONSIBILITY	DELIVER TO	TIME LIMITSCHEDULE
1. <u>1-4</u> Submit Improvement (Construction) Plans (5.7.2)	Applicant	Subdivision Administrator	↑ 5 working days max. ↓
2. <u>1-2</u> Transmit Improvement Plan Completeness Report (5.1.3; 5.7.4)	Subdivision Administrator	Applicant	↑ Within 5 working days max. after submittal of the plan ↓
3. <u>1-3</u> Distribute for Detail Agency Reviews (5.7.4)	Subdivision Administrator	C.E., M.S.D., C.W.W., D.P.W., T.T., Z.A. & other agencies	Within 5 working days after submittal of the plan
1-4 Transmit Detail Recommendations & Required Revisions (5.7.4)	C.E., M.S.D., C.W.W., D.P.W., T.T., Z.A., & other agencies	Applicant's Engineer	=
1-5 Transmit Revisions	Applicant	Applicable Agencies	=
4. <u>1-6</u> Transmit Agency Approvals	Each Agency	Subdivision Administrator	
5. <u>1-7</u> Transmit Requests for Cross-Acceptance of Revisions (4 sets Phase II routing of 4 sets of plans)	Subdivision Administrator	M.S.D., C.E., D.P.W.	
6. <u>1-8</u> Transmit Agency Cross-Acceptance (5.7.5)	M.S.D., C.E., D.P.W.	Subdivision Administrator	
7. Transmit 15 sets of plans 1-9	Applicant	Subdivision Administrator	
1-10 Certify Compliance with Prelim. Plan (5.7.6)	Subdivision Administrator	RPC (official file)	=

8. 1-11 Transmit Approved Improvement Plans (5.7.6)	Subdivision Administrator	All Reviewing Agencies	
I-12 Construct Public Improvements with Required Inspections (10.4, 10.5)	Applicant (start and completion per requirements of applicable agencies)	Per Requirements of Applicable Agencies	
I-13 Submit Approved Revisions (11.2)	Applicant	Subdivision Administrator & Applicable Agencies	

RECORD PLAT PROCEDURE

(If the Final Plat was approved conditionally by RPC at the time of the approval of the Preliminary Subdivision Plan)

STEP	RESPONSIBILITY	DELIVER TO	TIMESCHEDULE LIMIT
9.1. <u>R-1</u> Submit Final Record Plat (5.8.4; 5.4; 5.8.1; 5.8.2) 9.1. And certify Completion Agreement for Required Improvements	Applicant	Subdivision Administrator	 5 working days 
10. R-2 Certify Completion Agreement for Required Private Improvements	Applicant	Subdivision Administrator Applicant (if incomplete)	
11.2. <u>R-3</u> Transmit Record Plat Completeness Report (5.1.3; 5.8.3a)	Subdivision Administrator	<u>Applicant</u>	 Within 5 working days max after submittal of Plat 
12.3. <u>R-4</u> Transmit Requests for Agency Approval & Surety Signatures (certifications of completion or posting of guarantees for required improvements) (5.8.6)	Subdivision Administrator (or applicant)	Applicable agencies (M.S.D., C.W.W., D.P.W., C.E., Board of Health, and zoning)	Within 5 working days after submittal of Plat
13.4. <u>R-5</u> Certify File Certificate of Conformance with Improvement Plans (5.8.6a)	Subdivision Administrator (signature of <u>RPC Executive Director</u> of RPC)	File and Applicant <u>RPC</u>	Within 30 calendar days after submittal of Plan
14.5. <u>R-6</u> Obtain County Acceptance of Easements and ROW and Release Mylar Record Plat (5.8.6b) <u>R-7</u> Release Mylar Record Plat (5.8.6b)	Subdivision Administrator (signature of <u>County Administrator</u>) <u>Subdivision Administrator</u>	<u>County Administrator</u> Applicant	When After bond is posted
6. Submit 6 Copies of Approved Plat	<u>Applicant</u>	<u>Subdivision Administrator</u>	
7. Record the Final Record Plat	<u>Applicant</u>	<u>Auditor and Recorder</u>	Within 6 months after the date of Planning Commission endorsement
15. R-8 Submit 8-6 Copies of Approved Plat to be Recorded (5.8.6c)	Applicant	Subdivision Administrator	
16. R-9 Record Final Plat (5.8.6c)	Applicant (6 months max. to record)	Auditor & Record of Deeds	
17.8. <u>R-10</u> Distribute Copies of Recorded Plat	Subdivision Administrator	M.S.D., C.E., D.P.W., C.W.W., Twp. Trustees; other applicable agencies;	

		RPC File	
--	--	----------	--

HAMILTON COUNTY REGIONAL PLANNING COMMISSION

APPROVAL STEPS FOR MAJOR SUBDIVISIONS WITH PUBLIC IMPROVEMENTS ALREADY BUILT OR ASSURED

ALTERNATIVE II (4.2.2)

Alternative II is recommended only for frontage subdivisions and other major subdivisions where all public improvements are completely built or assured prior to submittal of application. See Alternative I for subdivisions where public improvements will be constructed after submittal of application.

GENERAL PROCEDURE

STEP RESPONSIBILITY DELIVER TO TIME LIMIT

G-1 Notify of Intent to Subdivide (4.1)	Applicant	Subdivision Administrator	
G-2 Request Pre-Application Conference (Optional)	Applicant	Subdivision Administrator	

SKETCH PLAN PROCEDURE

STEP RESPONSIBILITY DELIVER TO TIME LIMIT

S-1 Submit Sketch Plan (4.2.2; 5.3.1; 5.4; 5.5)	Applicant	Subdivision Administrator	↑ 5 working days max. ↓
S-2 Transmit Sketch Plan Completeness Report (5.1.3; 5.3.3)	Subdivision Administrator	Applicant (if incomplete)	↑ 5 working days max. ↓
S-3 Transmit Regulatory Compliance Report Sketch Plan Approval (5.5.5)	Subdivision Administrator	Applicant (Sketch Plan Approval good for 1 year)	

RECORD PLAT PROCEDURE

STEP	RESPONSIBILITY	DELIVER TO	TIME LIMIT
R 1 Submit Final Record Plat & Fee (5.3.4; 5.4; 5.8.1; 5.8.2)	Applicant (1 year max. to submit)	Subdivision Administrator	<div style="text-align: center;"> \uparrow 5 days max. \downarrow </div> <div style="text-align: center;"> \uparrow 30 days max. (unless extended) by Applicant \downarrow </div>
R 2 Certify Completion Agreement for Required Private Improvements	Applicant	Subdivision Administrator	
R 3 Transmit Record Plat Completeness Report (5.1.3; 5.8.3a)	Subdivision Administrator	Applicant (if incomplete)	<u>Within 5 working days</u>
R 4 Transmit Notice of Placement on RPC Agenda (5.8.3b)	Subdivision Administrator	Township (certified) and Applicant	<u>7 days prior to RPC meeting</u> <div style="text-align: center;"> \uparrow 7 days min. \downarrow </div>
R 5 Transmit Requests for Review (5.3.2; 5.8.6)	Subdivision Administrator	D.P.W., C.E., M.S.D., C.W.W., & other agencies	Max. 5 working days from Notice of Placement on RPC Agenda
R 6 Transmit Agency Approvals (5.3.3; 5.8.6b)	D.P.W., M.S.D.	C.E.	
R 7 Transmit Summary Regulatory Compliance Report (5.3.3)	Subdivision Administrator	Regional Planning Commission	
R 8 RPC Public Meeting Motion to Consider Approval of Final Plat (5.8.4b, 5.8.4a)	Regional Planning Commission		<u>Meeting to be held within 30 days of receipt</u>

R 9	Transmit Mylar for Agency Approval (& Surety Signatures) (5.8.6; 5.3.2)	Applicant, M.S.D., D.P.W.	M.S.D., D.P.W., Subdivision Administrator	
R 10	Certify Conformance with C.E. Rules	C.E.	Subdivision Administrator	
R 11	Obtain Signature of Executive Director or RPC	Subdivision Administrator	C.E. County Administrator	
R 12	Obtain County Acceptance of Easements and ROW (5.8.6b)	C.E.		
R 13	Release Mylar Record Plat (5.8.6b)	Subdivision Administrator	Applicant	
R 14	Submit 8-6 Copies of Plat to be Recorded (5.8.6c)	Applicant	Subdivision Administrator	
R 15	Record Final Plat (5.8.6c)	Applicant (6 months max. to record)	Auditor & Recorder of Deeds	<u>(6 months max. to record)</u>
R 16	Transmit Copies of Recorded Plat	Subdivision Administrator	Township Trustees RPC File C.E., D.P.W., C.W.W., M.S.D., Other Applicable Agencies	

HAMILTON COUNTY REGIONAL PLANNING COMMISSION

APPROVAL STEPS FOR MAJOR SUBDIVISIONS WITH PUBLIC IMPROVEMENTS ALREADY BUILT OR ASSURED

ALTERNATIVE II (4.2.2)

Alternative II is recommended only for frontage subdivisions and other major subdivisions where all public improvements are completely built or assured prior to submittal of application. See Alternative I for subdivisions where public improvements will be constructed after submittal of application.

GENERAL PROCEDURE PRE-APPLICATION CONFERENCE

<u>STEP</u>	<u>RESPONSIBILITY</u>	<u>DELIVER TO</u>	<u>TIME LIMITS</u> <u>SCHEDULE</u>
G-1 Notify of Intent to Subdivide (4.1)	Applicant	Subdivision Administrator	
4. G-2 Request Pre-Application Conference	Applicant	Subdivision Administrator	
5. Pre-Application Conference	Subdivision Administrator		
6. Identify conclusions	Subdivision Administrator	Applicant	Within 5 working days max after Conference

SKETCH (CONCEPT) PLAN PROCEDURE (Optional)

<u>STEP</u>	<u>RESPONSIBILITY</u>	<u>DELIVER TO</u>	<u>SCHEDULE</u>
1. Submit Sketch Plan	Applicant	Subdivision Administrator	
2. Transmit Sketch Plan Completeness Report and schedule Pre-Application Conference	Subdivision Administrator	Applicant	Within 5 working days after submittal
3. Pre-Application Conference	Subdivision Administrator	Applicant	Within 5 working days after submittal
4. Transmit Sketch Plan approval	Subdivision Administrator	Applicant	Sketch Plan Approval expires in 1 year

RECORD PLAT PROCEDURE

(If the Final Plat was not approved conditionally by RPC
at the time of the approval of a Preliminary Subdivision Plan)

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. <u>Submit Final Record Plat & Fee and Certifications of Completion or posting of guarantees for Required Private Improvements</u>	<u>Applicant</u>	<u>Subdivision Administrator</u>	
2. <u>Transmit Record Plat Completeness Report</u>	<u>Subdivision Administrator</u>	<u>Applicant (if incomplete)</u>	<u>Within 5 working days after submittal of plat and fee</u>
3. <u>Transmit Notice of Placement on RPC Agenda</u>	<u>Subdivision Administrator</u>	<u>Township Fiscal Officer, Board of Health, and Applicant</u>	<u>Within 5 working days after Notice of Placement on RPC Agenda; and at least 7 days prior to next RPC meeting</u>
4. <u>Transmit Requests for Review</u>	<u>Subdivision Administrator</u>	<u>D.P.W., C.E., M.S.D., C.W.W., & other agencies</u>	<u>Within 5 working days after Notice of Placement on RPC Agenda</u>
5. <u>RPC Public Meeting and Motion to Consider Approval of Final Plat</u>	<u>Regional Planning Commission</u>		<u>Within 30 calendar days after submittal of plat and fee</u>
6. <u>Transmit Mylar for Agency Approval (& Surety Signatures)</u>	<u>Applicant,</u>	<u>M.S.D., D.P.W., Subdivision Administrator</u>	
7. <u>Obtain Signature of RPC Executive Director</u>	<u>Subdivision Administrator</u>		
8. <u>Obtain County Acceptance of Easements and ROW and Release Mylar Record Plat</u>	<u>Subdivision Administrator</u> <u>(signature of County Administrator)</u>	<u>Applicant</u>	
9. <u>Submit 8 Copies of Plat to be Recorded</u>	<u>Applicant</u>	<u>Subdivision Administrator</u>	
10. <u>Record Final Plat</u>	<u>Applicant</u>	<u>Auditor & Recorder of Deeds</u>	<u>Within 6 months after the date of Planning Commission endorsement</u>
11. <u>Distribute Copies of Recorded Plat</u>	<u>Subdivision Administrator</u>	<u>M.S.D., C.E., D.P.W., C.W.W., Twp. Trustees; other applicable agencies; RPC File</u>	

|

SECTION 5

PROCEDURES

5.1 GENERAL PROCEDURES FOR ALL SUBDIVISIONS.

5.1.1 *(RESERVED FOR FUTURE USE.)*

5.1.2 Pre-application Conference. In order to help minimize development planning costs, avoid misinterpretation, identify required concept approvals, identify the need for a consolidated agency review conference, and ensure compliance with the requirements of these Rules and Regulations, all applicants for subdivision are ~~encouraged~~ required to request schedule a pre-application conference with the Subdivision Administrator.

5.1.3 Determination of Completeness of Application. Upon receipt of an application for review and/or approval of a Sketch Plan, approval of a Preliminary Subdivision Plan, Improvement (Construction) Plans or a Final Record Plat, as the case may be, the Subdivision Administrator determines if the application is complete.

- (a) If the application is complete and the filing fees paid, it is reviewed in accordance with the terms of the applicable sections of these Rules and Regulations. The Planning Commission may subsequently require correction of any information found to be in error and submission and additional information not specified in these Rules and Regulations, as is reasonably necessary to make an informed decision. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the Planning Commission.
- (b) If the Subdivision Administrator determines that the application is incomplete, the applicant will be notified in writing of the deficiencies of the application (the "Application Completeness Report").
- (c) For the purposes of this Section 5.1.3, completeness shall mean that all required documentation pursuant to Section 5 has been submitted; it shall not mean that the application conforms to the standards of Sections 12 and 13 herein.

5.2 GENERAL PROCEDURES FOR MINOR SUBDIVISIONS (LOT SPLITS)

- 5.2.1 Sketch Plan. Upon receiving the application for Sketch Plan approval required pursuant to Section 4.2.1, and determining pursuant to Section 5.1.3 that the application is complete, the Subdivision Administrator reviews the application for compliance with the requirements of Section 5.5.3.
- 5.2.2 Certifications of Compliance. Certifications of compliance obtained by the applicant shall be submitted indicating adequacy of existing public facilities and concept approval of the sketch plan by the applicable sewer authority, e.g., the Metropolitan Sewer District, Board of Health or the Ohio Environmental Protection Agency (as to availability of public sanitary sewer and adequacy of proposed public or private sewerage concept), the applicable township zoning administrator or County Zoning Administrator (as to lot size, building setbacks, frontage and width), the Hamilton County Engineer for three (3) lots or more sharing a common access onto a County or local road (as to the compliance with the Hamilton County Access Management Regulations) and by such other applicable offices and agencies as may be identified by the Subdivision Administrator.
- 5.2.3 Subdivision Administrator Decision. Within seven (7) working days following submission of the complete application, including the survey of the property, the Subdivision Administrator, pursuant to Section 5.5.3(a) either approves or disapproves the application for a minor subdivision.

5.3 GENERAL PROCEDURES FOR MAJOR SUBDIVISIONS

- 5.3.1 Sketch (Concept) Plan. If an applicant for a major subdivision submits an application for Sketch Plan approval as provided for in Section 4.2.2, the Subdivision Administrator first makes a determination of completeness pursuant to Section 5.1.3. If the application is complete, the Subdivision Administrator reviews the Sketch Plan and briefs the applicant in writing on issues and areas of concern which should be addressed during the Preliminary Subdivision Plan procedures.
- 5.3.2 Subdivision Administrator Distribution of Applications For Review. If an applicant submits a Sketch Plan, Preliminary Subdivision Plan, Improvement (Construction) Plans or Final (Record) Plat, as provided for in Section 4.2.2, the Subdivision Administrator, shall first make a determination of completeness pursuant to Section 5.1.3. If the application is complete, the Subdivision Administrator, within five (5) working days, distributes such plan or plans to the C.E., M.S.D., C.W.W., D.P.W., ~~the applicable Township Zoning Administrator or County Zoning Administrator in the case of Final Record Plats (for review of lot size, frontage, width, and building setback)~~, and such other regulatory offices and agencies as are necessary to obtain a proper review.

- (a) Following their review, each office and agency listed above sends a copy of the Preliminary Subdivision Plan, Improvement (Construction) Plans or record plat, as the case may be, marked with needed corrections, to the developer's engineer.
- (b) In situations where all or part of the proposed subdivision cannot be served by public sanitary sewer systems, as determined by the M.S.D., the latter will so notify the Subdivision Administrator, who will refer the matter to the Hamilton County Board of Health for its review and recommendation. The County Board of Health will also review sanitary disposal systems for single family subdivisions with less than ten (10) lots and for all two family and three family dwellings. The staff of the County Board of Health will review the proposed sanitary disposal systems and advise the developer's engineer accordingly.
- (c) In situations where the proposed subdivision cannot be served by existing public water mains, as determined by the Greater Cincinnati Water Works within the County Water Area, G.C.W.W. will notify the Subdivision Administrator who will refer the matter to the Hamilton County Board of Health for its review and recommendation. The staff of the County Board of Health will review alternative water sources and advise the developer's engineer accordingly.
- (d) Upon receiving back from the developer's engineer the necessary revisions to the plan(s) in response to their respective comments/corrections, the reviewing offices and agencies will either disapprove the plan(s) and return them to the developer's engineer for further revision, or approve them.
- (e) Upon approval of the required revisions by the reviewing offices and agencies, each so notifies the Subdivision Administrator in writing. In the case of the Zoning Administrator, acknowledgement of approval shall be by the transmittal of a stamped, signed, and dated print of the plat marked "Approved as to lot size, frontage, width and building setback."

5.3.3 Subdivision Administrator Report and/or Certification. Upon receipt by the Subdivision Administrator of the written approvals of the reviewing offices and agencies, the Subdivision Administrator in the case of a Preliminary Subdivision Plan, prepares a written report (the "Regulatory Compliance Report") to the Planning Commission which references the conclusions of the reviewing offices and agencies and sets forth the Subdivision Administrator's recommendations. In the case of Improvement (Construction) Plans or a Final Plat, the Subdivision Administrator, on the basis of the reports received from the receiving offices and agencies, certifies compliance of the Improvement Plans with the Preliminary Subdivision Plan or, in the case of a

Final Plat, certifies compliance of the Final Plat with the Preliminary Subdivision Plan and the Improvement (Construction) Plans.

- 5.3.4 Planning Commission Consideration. Upon receipt by the Subdivision Administrator of a complete application for Preliminary Subdivision Plan or Final Plat for approval, as the case may be pursuant to Alternative I or Alternative II as outlined in Section 4.2.2, and the report or approval of the review agencies pursuant to the applicable sections of these Rules and Regulations, the application is placed on the Planning Commission agenda and considered by the Planning Commission at the next regularly scheduled meeting. Upon placement of an application upon the Planning Commission agenda, the applicant may request in writing that the application be continued to a subsequent meeting.
- 5.3.5 Waiver of Submission Requirements. In the event the Planning Commission determines, at the request of an applicant, that any of the matters required to be submitted as part of an application are not necessary to the proper review of a particular proposal, the Commission may waive the requirement if it determines that such waiver is consistent with the purposes of these Rules and Regulations.
- 5.4 **FEES REQUIRED.** The Board of County Commissioners, upon recommendation of the Planning Commission through the Subdivision Administrator, shall establish and, from time to time, update a schedule of fees for the filing, review and processing of applications under the provisions of these Rules and Regulations. These fees, together with the fees established by other offices and agencies having jurisdiction, over the subdivision approval process shall be published by the Subdivision Administrator as a comprehensive statement of fees (the "Subdivision Fee Schedule"). Periodically the Subdivision Administrator shall review the fee structure and at the direction of the Planning Commission, make recommendations to the Board for such adjustments as are determined appropriate.
- 5.5 **SKETCH (CONCEPT) PLAN.**
- 5.5.1 Purpose. The purpose of the Sketch Plan is to provide the Subdivision Administrator with sufficient information to fully evaluate a proposed minor subdivision, or to evaluate the concept of a proposed major subdivision at an early stage in the process so as to allow such alterations in plans as may be necessary prior to the applicant incurring large expenditures in the preparation of formal plats. Prior to the preparation and submission of a Preliminary Subdivision Plan for a major subdivision to the Regional Planning Commission, it is suggested that the applicant or his engineer utilize the procedures of this Section 5.5 to consult with the Subdivision Administrator while the plan is still in sketch form. This step is recommended to acquaint the applicant with the subdivision requirements, the official Motorway Plan, and other adopted planning policies for Hamilton County, Ohio. A consolidated agency review conference can be requested for Sketch Plan review.

5.5.2 Application. Applications for Sketch Plan review and/or approval shall be accompanied by the fee, if any, indicated on the Subdivision Fee Schedule and a Sketch Plan containing such information as may be required from time to time by the Planning Commission, but in all instances shall contain the following features and information which may be derived from auditor's plats, the Cincinnati, Hamilton County Metropolitan Area Topographic Survey or other sources approved by the Subdivision Administrator, instead of engineering or property surveys of the actual site:

- (1) Name for File Identification. The proposed development shall be given a name for identification purposes, such name being unique to the incorporated and unincorporated areas of Hamilton County in order to avoid duplication and confusion with previously recorded plats.
- (2) Location and Description of Property. Location of property by township, section number, subdivision (with block and lot numbers), place or locality name as applicable shall be specified, and in the case of unsubdivided properties, location on roads by which property is reached.
- (3) Boundary of the Property. The boundary of the property shall be shown by bold lines.
- (4) Existing Rights-of-way; Buildings. The true relationship between the boundary of the property and the rights-of-way of existing roads upon which it may border. Existing permanent buildings shall be shown.
- (5) Preliminary Inventory and Analysis of the Site and Any Adjacent Properties. To the extent that they relate to the site, such inventory and preliminary analysis shall address topography; waterways, wetlands and drainage; historic features; adjacent and on-site land uses and zoning, including any overlay zoning district(s) affecting the site; utilities and related easements and any other easements of record; roadways and traffic circulation; and other information critical to an understanding of the capability of the site to accommodate development.
- (6) Sketch of Proposal. Show general lot and roadway layout, and concepts for providing public or private sewer and water.
- (7) Topography. Show existing topography with contours at five foot (5') intervals, streams, springs, swamps, buildings, wooded areas or other features likely to affect the plan. All contours shall be on U.S.G.S. datum and shall be determined from the most currently available aerial photography.
- (8) Flood Limits and Environmental Constraints. If any part of the proposed subdivision is subject to flooding, a line indicating the water surface

elevation of the one hundred (100) year flood shall be shown on the drawing. Other natural features of significant public interest sensitive to improvements shall be indicated.

- (9) Building Site Access. Show proposed means of vehicular access from the public right-of-way to the tract to be subdivided without trespass upon adjoining properties. Indicate any bridges, culverts, and culvert pipe installations required to provide access to a building site.
- (10) Zoning District. Show zoning districts as obtained from the county or township zoning administrator, as applicable.

5.5.3 Subdivisions Administrator Review and Action. Upon determining pursuant to Section 5.1.3 that the application for Sketch Plan approval is complete, the Subdivision Administrator shall review and consider approval of the Sketch Plan for a minor subdivision, or a major subdivision, as follows:

- (a) Minor Subdivision. If the Subdivision Administrator determines that the proposed subdivision is not contrary to (i) applicable platting, and subdivision rules of the County, (ii) the regulations of governments having zoning jurisdiction over the property, and (iii) the applicable regulations of sewer or sewage disposal authorities, (iv) any deed restriction and/or protective covenant pertaining to the subject property or any applicable record plat (certified by the applicant), the Subdivision Administrator shall, within seven (7) working days following submission of such certifications as a part of the complete application, and receipt of a survey of the property drawn by a registered professional surveyor, approve the minor subdivision application and Sketch Plan. Approval shall be indicated by stamping on the instrument to be recorded, "Approved by Hamilton County. No Plat Required" A copy of the approved application shall be transmitted to the township wherein the property is located, upon request. If the Subdivision Administrator determines that the proposed minor subdivision does not satisfy the requirements of these Rules and Regulations and other applicable regulations, including a determination that the proposed subdivision is, in fact, a major subdivision, the Subdivision Administrator shall not approve the application and shall so notify the applicant in writing. Failure of the Subdivision Administrator to act on the minor subdivision within the seven (7) working day period shall constitute minor subdivision approval and a certificate of the Subdivision Administrator as to the failure of his office to act shall be issued on request of the applicant.
- (b) Major Subdivision. Within five (5) working days of receipt of a complete Sketch Plan application, the Subdivision Administrator shall review the Sketch Plan and approve as noted in the Regulatory Compliance Report or deny approval based upon the Regulatory Compliance Report. The Subdivision Administrator shall then brief the subdivider in writing (the

"Regulatory Compliance Report") on issues, recommendations and areas of concern which should be addressed during the Preliminary Subdivision Plan procedures. Such briefing shall not constitute, implicitly or otherwise, any approval or denial of a future application of a preliminary plan and shall not substitute for the application procedures and requirements for Preliminary Subdivision Plan approval.

A consolidated agency review conference can be requested by the applicant and scheduled by the Subdivision Administrator for Sketch Plan Review. If such conference is requested, the conference shall be held within ten (10) working days after transmittal of the Sketch Plan to agencies. Such conference and review shall not constitute, implicitly or otherwise, any approval or denial of a future application of a preliminary plan and shall not substitute for the application procedures and requirements for Preliminary Subdivision Plan approval.

- 5.5.4 Time Limit for Recording Deed for Minor Subdivision. Approval of a minor subdivision shall expire twelve (12) months from the date of approval unless within such period a deed clearly describing the approved minor subdivision is filed by the applicant with the office of the Recorder of Hamilton County. The Subdivision Administrator may for good cause shown, extend the period for recording for an additional period not to exceed sixty (60) days from the date of expiration.

- ~~5.5.5 Time Limit on Sketch Plan Reviewed for Major Subdivision. A Sketch Plan reviewed in writing for a major subdivision pursuant to Section 5.5.3(b) shall expire twelve (12) months from the date of approval, which shall constitute authorization within such period for the applicant to proceed to the next step in the subdivision approval process, based on the development concept proposed in the approved Sketch Plan.~~

5.6 PRELIMINARY SUBDIVISION PLAN.

5.6.1 Purpose. The purpose of the Preliminary Subdivision Plan is to provide the Planning Commission with sufficiently detailed information, but not full engineering details, to evaluate a major subdivision. The plan should show all of the information needed to enable the Planning Commission to determine whether the proposed layout meets the standards and requirements of these Rules and Regulations, and whether the proposed development concepts under the zoning classification, public improvements and utilities are acceptable to the appropriate offices, agencies and governmental bodies having jurisdiction.

5.6.2 Application ~~(Initial Review; Official File).~~ An Application for Preliminary Subdivision Plan approval shall be accompanied by the fee indicated on the Subdivision Fee Schedule. ~~and shall be submitted in two parts -- "Initial Review" and "Official File."~~ The ~~"Official File"~~ application shall be submitted at least ~~two (2) weeks~~ fourteen (14) calendar days prior to the meeting of the Planning Commission at which action is desired, ~~but not prior to the Pre-application Conference required in Section 5.1.2.~~ An Application for Preliminary Subdivision Plan approval shall contain such information as may be required from time to time by the Planning Commission and the Subdivision Administrator but in all instances shall contain the following:

Initial Review Application:

~~(a) The date of submission of a Sketch Plan, if any, and identification of any changes to the proposed subdivision since said submission.~~

~~(b)~~(a) The Drawing: The preliminary subdivision plan shall be clearly and legibly drawn at an appropriate scale. It shall be drawn on one or more sheets whose dimensions are twenty four inches by thirty-six inches (24" X 36"). If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one sheet and the component areas shown on the other sheet or sheets. Two (2) prints or copies of the Preliminary Plat shall be submitted. Additional prints may be required by the Subdivision Administrator for distribution to other reviewing agencies. Submittal of a digital image (as defined in section 3.2) of the Final Plat Preliminary Subdivision Plan, through either email or recordable media, in addition to required prints is encouraged but not required. ~~A reduced copy of the plan (8½" X 11" or 11" X 17") is also required. A vicinity sketch at a scale of four hundred (400) feet or more to the inch shall be drawn on or shall accompany the Preliminary Subdivision Plan. This shall show all existing subdivisions and the street and tract lines of acreage parcels of land adjoining the proposed subdivision and between it and the nearest existing highways or thoroughfares. It shall also show the streets and alleys in neighboring~~

~~subdivisions or unplatted property to produce the most advantageous development of the entire neighborhood.~~

- (eb) The Preliminary Subdivision Plan shall clearly show the following features and information:
- (1) The proposed name of the subdivision which shall not duplicate or closely approximate the name of any other subdivision in the incorporated or unincorporated areas of Hamilton County.
 - (2) The names and addresses of the owner or owners of record, the subdivider, the engineer and surveyor.
 - (3) The names of adjacent subdivisions and the names of record owners of adjacent parcels of unplatted land.
 - (4) The boundary lines, accurate to scale, of the tract to be subdivided.
 - (5) The location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, and other important features such as existing permanent buildings, sidewalks, water courses, railroad lines, corporation lines, township lines, cemeteries, pipe lines, pole lines, high tension lines, bridges, section lines, etc.
 - (6) Existing sewers, water mains, culverts and other underground structures within the tract and immediately adjacent thereto.
 - (7) Contours, normally with intervals of ~~five-two~~ (52) feet referenced to U.S.G.S. Datum, ~~as required by the Planning Commission, and proposed grading.~~
 - (8) Flood hazard areas, wetlands (if mapped by governmental jurisdiction), flood plain management areas, detention basins, active landslide areas, and Soils Overlay (per Soil Survey of Hamilton County , Ohio by USDA) unstable soils (per U.S. Soil Conservation Service survey), ~~and unstable geology (per U.S. Geologic Survey).~~
 - (9) The layout, proposed names and widths of proposed streets, alleys and easements; the layout, numbers and the approximate dimensions and square footage of proposed lots so as to exclude any access easement.
 - (10) Square footage of panhandle and irregular lots calculated for zoning purposes so as to exclude the handle of panhandle lots

and those narrow appendages of irregular lots less than fifty feet in width, shown by a bar scale on each sheet.

(11) Zoning boundary lines, if any, including the boundary lines of any flood plain management district, hillside district or other overlay or special districts; proposed uses of property and proposed front yard set-back lines.

(12) All parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved in the deeds for the common use of property owners in the subdivision, with the purpose, condition, or limitation of such reservation indicated.

~~(13) The location and approximate dimensions of proposed debris pits. If no debris pits are proposed, a note to that effect must be placed on the plan.~~

~~((1413))~~ Special zones, i.e., historical, archeological, dump, wildlife, etc.

~~(4514)~~ The total acreage of the subdivision.

~~(4615)~~ North-point, scale and date. The horizontal scale shall be one hundred (100) feet or less to the inch.

~~(4716)~~ Existing private restrictions and covenants shall be outlined and a reference of their inclusion on the Improvement (Construction) Plans and Final Record Plat.

~~(4817)~~ Other ~~features-information~~ that may be required by reviewing offices and agencies, including but not limited to: slope analysis, sight distance analysis, reference points, and circulation analysis, and proposed water main and service branches.

~~(4918)~~ Space for statement of approval or denial by the Planning Commission with lines for signature and

date.

~~20) If the plan is not to be developed in one phase, an anticipated conceptual phasing plan must be included.~~

(19) For projects proposing a wastewater pump station or treatment facility, a fifty year economic analysis and concept approval by The Board of County Commissioners is required.

Official File Application

~~(d) All information required by subparagraphs (a) through (c) above of this Section 5.6.2.~~

~~(ec) If required by the Subdivision Administrator, Certifications of concept approval concept reports (-evidenced by either letters in a form prepared by the Subdivision Administrator, with signature, or plans with approval stamps, obtained by the applicant,) certifying regarding adequacy of existing public facilities and concept approval regulatory compliance of the preliminary plan by:~~

- ~~(1) The County Engineer (as to sight distances, drainage, construction standards, etc.),~~
- ~~(2) The applicable sewer authority - Metropolitan Sewer District, the Sewer Districts of the Village of Glendale, City of Harrison, or Whitewater Township, the Board of Health, Ohio Environmental Protection Agency (as to availability of public sanitary sewer and adequacy of proposed public or private sewerage concept),~~
- ~~(3) The applicable water authority Greater Cincinnati Water Works, etc. (as to availability of public water system),~~
- ~~(4) The applicable township zoning administrator or County Zoning Administrator (as to lot size, building setbacks, frontage and width),~~
- ~~(5) The Department of Public Works (as to the general location of storm drainage facilities),~~
- ~~(6) Such other applicable offices and agencies as may be identified by the Subdivision Administrator at the pre-application or Sketch Plan stages.~~

~~(fd) Concept report from Township Trustees or authorized representative, if required by the Subdivision Administrator, pertaining to the following, if applicable:~~

- ~~(1) Historic features (A landmark or feature associated with an historic event which has been officially designated as having historical significance by a state, county, township or municipal agency.~~
- ~~(2) Requested variation to the typical street R.O.W. standard (Township roads only).~~
- ~~(3) Remnant Parcels (as per section 12.2.6) which are intended to be dedicated to the township.~~
- ~~(4) Recommendation of adopted Township Plans relating to ornamental entranceways or structures (Section 12.3.15 (b)), and bikeways~~

(Section 12.3.16, or requested exceptions to sidewalk requirements (Section 12.3.14 (a)).

- ~~(4)~~
~~(g) All revisions required for concept approvals pursuant to subparagraph (e) above.~~

5.6.3 Applications Proposing Household Sewage Treatment Systems. When proposing Household Sewage Treatment Systems, an application for Preliminary Subdivision Plan approval shall contain the following additional information:

- (a) The dimensions with courses and distances of the existing lots or proposed lots and a scaled drawing of the areas proposed for the siting of the dwellings and suitable Household Sewage Treatment System areas.
- (b) The location of any existing or proposed hardscapes, underground utilities, easements, drain tiles, dwellings and appurtenances such as other buildings, driveways, or pools.
- (c) The location of all existing or proposed public and private water systems with water service lines, surface water bodies, streams, ditches, and drain tile, on the lot and within one hundred and fifty feet of the lot boundaries.
- (d) The location of any existing or proposed sanitary sewers and/or sewer easements within 500 feet of the lot boundaries; and, if three or more parcels are being created, a letter from the Metropolitan Sewer District stating that a sanitary sewer is not available for the proposed subdivision.
- (e) Location of soil samples taken.
- (f) Detailed soil report performed in accordance with ASTM standard D 5879 or D 5921 and a septic system design completed by a qualified septic system designer/engineer. This design should include the following items:
- (1) One copy (1) of the soil morphology indicating soil limiting conditions.
- (2) ~~Landscape position~~Location, dimensions, percent slope, vegetation, and drainage features for the suitable Household Sewage Treatment System areas on the lot. Proposed system locations shall be staked out at the site for review by the Hamilton County General Health District.

(3) Significant hydrologic features and risk factors associated with the site.

(4) The proposed primary and replacement system type, size, and location with their sizing design calculations attached as specified by the qualified Home Sewage Treatment System designer.

5.6.34 Time Limit for Request and Receipt of Concept Approval if Requested by Subdivision Administrator. Notwithstanding the requirement of Section 5.6.2(~~ec~~) pertaining to applicant's responsibility for requesting and submitting letters or stamped plans certifying concept approval, an application for Preliminary Subdivision Plan approval may be deemed by the Planning Commission to have received concept approval if such concept approval, or disapproval, has not been communicated to the Subdivision Administrator within ten (10) ~~working-business~~ days from the date of written or digital request, with deadline indicated, by the Subdivision Administrator.

5.6.45 Subdivision Administrator Review and Report. Upon receipt of an application for Preliminary Subdivision Plan approval, and upon determining pursuant to Section 5.1.3 that the application is complete, the Subdivision Administrator shall forward the application with the Subdivision Administrator's report to the Planning Commission for its review and action. The Subdivision Administrator's report shall reference all concept approval recommendations, the conclusions of reviewing offices and agencies and shall set forth his recommendations to the Planning Commission (the "Regulatory Compliance Report").

5.6.56 Planning Commission Consideration and Action.

(a) Within five (5) calendar days following receipt by the Subdivision Administrator of a complete application for Preliminary Subdivision Plan approval, the application, accompanied by the Subdivision Administrator's Regulatory Compliance Report, shall be placed on the Planning Commission agenda for consideration at the next regularly scheduled meeting. At the same time, or at least seven (7) calendar days prior to the meeting, the Subdivision Administrator shall send written notice of the date, time and location of the meeting, by certified mail, return receipt requested, by regular mail or by electronic mail, to the clerk of the board of township trustees of the township in which the proposed subdivision is located. ~~Two (2) copies of the Preliminary Subdivision Plan shall be sent to the clerk of the board of township trustees for concept review.~~

(b) Within ~~thirty (30)~~ Thirty-five (35) ~~calendar~~ business days of the submission to the Planning Commission of the complete application for a Preliminary Subdivision Plan approval, the Planning Commission shall

approve or disapprove the Preliminary Subdivision Plan or approve it with ~~modifications~~conditions, unless such time is extended by written agreement of the applicant.

- (c) The decision of the Planning Commission shall be in writing and as the basis for its action the Commission shall take into consideration:
 - (1) The conformity of the Preliminary Subdivision Plan with the purposes, objectives, standards and criteria of Sections 12 and 13 of these Rules and Regulations.
 - (2) The conformity of the Preliminary Subdivision Plan with all other applicable laws and rules as determined by concept review and reports requested from other offices and agencies having jurisdiction.
- (d) If the decision of the Planning Commission on the Preliminary Subdivision Plan is for disapproval, the Planning Commission shall in its ~~motion~~decision, as part of the record, state the reason or reasons for such disapproval, including the rules or provisions with which the preliminary plan does not comply. The refusal to approve shall be endorsed on the Preliminary Subdivision Plan and a copy of the endorsed plan shall be made a part of the record of the Planning Commission.
- (e) If the Preliminary Subdivision Plan is approved by the Planning Commission, three (3) prints or copies of the plan shall be provided to and endorsed by the Executive Director of the Planning Commission.
- (f) The motion of the Planning Commission approving the Preliminary Subdivision Plan shall be accompanied by a second motion approving the Final Record Plat, subject to certification by the Subdivision Administrator that the Final Plat is in conformance with the Preliminary Subdivision Plan approved by the Planning Commission and the Improvement (Construction) Plans as approved by the Subdivision Administrator.
- (g) Written notification of the Planning Commission's decision shall be sent by the Subdivision Administrator, by regular mail or electronic mail, to the applicant and the township in which the proposed subdivision is located. Notification to the township shall be accompanied by two (2) Executive Director-endorsed prints of the Preliminary Subdivision Plan.

5.6.67 Time Limit on Approval of Preliminary Subdivision Plan; Effect of Approval; Effect of Disapproval. Approval of the Preliminary Subdivision Plan shall be good for ~~one (1) year~~two (2) years from the date of approval or, in the case of a Preliminary Subdivision Plan approved by the Planning Commission to be

completed in two or more phases, such approvals shall be good for ~~one (1)~~ year two (2) years from the date of approval of the Improvement (Construction) Plans of the last preceding phase of the development. Preliminary Subdivision Plan approval shall confer upon applicant the following rights for the ~~one (1)~~ two (2) year period from the date of approval:

- (a) The general terms and conditions upon which the approval was granted shall not be changed.
- (b) The applicant may submit for Improvement (Construction) Plans and/or Final Plat approval on or before the expiration date of Preliminary Subdivision Plan approval of the whole, or a section, or sections of the Preliminary Subdivision Plan.
- (c) The applicant may apply for and the Planning Commission may grant extension on such Preliminary Subdivision Plan approval for additional periods of at least one (1) year but not to exceed a total extension of ~~two (2)~~ three (3) years, provided the applicant has a current concept approval from the applicable sewer authority.
- (d) In the case of a subdivision of more than ten (10) acres, the Planning Commission may grant the rights referred to in Subsections (a), (b) and (c) above for such period of time longer than three (3) years as shall be determined by the Planning Commission to be reasonable.

—————If the decision of the Planning Commission is for disapproval of the ~~pP~~ Preliminary Subdivision Plan and the one (1) year time limit for the approved Sketch Plan pursuant to Section 5.5.5 has not expired, an applicant may submit a revised Preliminary Subdivision Plan pursuant to Section 5.6, or elect to proceed under Alternative II and submit a Final Record Plat for approval pursuant to Section 5.8. If the Sketch Plan approval pursuant to Section 5.5.5 has expired, an applicant may elect to proceed under Alternative II and submit a Final Record Plat for approval pursuant to Section 5.8 or proceed anew under either Alternative I or Alternative II. (See Section 4.2)

5.7 **IMPROVEMENT (CONSTRUCTION) PLANS.**

- 5.7.1 Purpose. The purpose of the Improvement Plan is to provide the County with final construction drawings and specifications for review and approval before construction of improvements and the submission of the Final Plat.
- 5.7.2 Application. An application for approval of all or portions of an Improvement Plan shall be submitted to the Subdivision Administrator within one (1) year of the date of approval of the Preliminary Subdivision Plan. An application shall contain such information as may be required from time to time by the Planning Commission but in all instances shall contain the following:
- (a) The date of Preliminary Subdivision Plan approval and identification of any changes from such approved plan.
 - (b) The Drawing: The plan may be submitted digitally through either the email or on any acceptable recordable media. Alternatively, two (2) sets of prints or copies of the Improvement Plan may be submitted. The Plans shall be clearly and legibly drawn at a scale of 1 inch = 50 feet, shown by a bar scale on each sheet. They shall be drawn on one or more sheets whose dimensions are twenty-four inches by thirty-six inches (24' x 36'). Additional sets shall be submitted upon request of the Subdivision Administrator for distribution to reviewing agencies pursuant to Section 5.7.4.

The Improvement Plans shall show:

- (1) Title or Cover Sheet with a vicinity map and general notes as required by the departments or agencies reviewing the plan, a north point, written and graphic scale, and date. The horizontal scale shall be 50 feet or less to the inch.
- (2) Plans, profiles, typical cross sections, specifications, notes and other details related to streets, rights-of-way, storm and sanitary sewers, home sewage treatment systems, private water systems, water mains, fire hydrants, guardrails and other proposed or required physical improvements in accordance with the current Rules and Regulations of the office of the County Engineer and the Soil and Water Conservation District, the Metropolitan Sewer District, Greater Cincinnati Water Works, Board of Health and Township Trustees.
- (3) Earthwork and erosion control plan, where required by the Hamilton County Soil and Water Conservation District.
- (4) Flood hazard areas, wetlands (if mapped by governmental jurisdiction), flood plain management areas, detention basins,

active landslide areas, and Soils Overlay (per Soil Survey of Hamilton County, Ohio USDA) and , streams and rivers within 200' of the proposed site

- (5) The layout and widths of proposed streets, and easements; the layout, numbers and the approximate dimensions and square footage of proposed lots so as to exclude any access easement.
- (6) All parcels of land intended to be dedicated or temporarily reserved for public use, or to be reserved in the deeds for the common use of property owners in the subdivision, with the purpose, condition, or limitation of such reservation indicated.
- (7) Zoning boundary lines, if any, including the boundary lines of any flood plain management district, hillside district or other overlay or special districts; proposed uses of property. Front yard setbacks may be required in some zoning jurisdictions.
- (8) Square footage of panhandle and irregular lots calculated for zoning purposes so as to exclude the handle of panhandle lots and those narrow appendages of irregular lots less than fifty feet in width.
- (9) A plan, for review by the Planning Commission, of the location of any ornamental entranceway structure, and related utility easements, if proposed for the subdivision.
- ~~(10) Plans, cross sections, details and specifications related to debris pits as located on the approved Preliminary Plan.~~
- ~~(11)~~ Other information that may be required by reviewing offices and agencies, including but not limited to: slope analysis, sight distance analysis, circulation analysis, and proposed water main and service branches.
- ~~(12)~~ An overall lot layout, with any proposed phases, with lot numbers and street names completely contained on a single sheet.

5.7.3 Fees. The developer shall also be responsible for ~~timely~~ payment of all fees required by other offices and agencies as part of their reviews pursuant to Section 5.3.

5.7.4 Agency Review. Upon determining that the application for Improvement Plan I is complete, the Subdivision Administrator shall within five (5) working days, initialize and distribute the Improvement Plans to the M.S.D., C.W.W., C.E., D.P.W. and such other County, State or township offices and agencies as are necessary to obtain a proper review of the plans.

- 5.7.5 Agency Cross Acceptance of Revisions (Phase II routing). Upon receiving a favorable report from each reviewing agency and receipt of four (4) sets of the final Improvement Plans from the applicant, the Subdivision Administrator shall distribute the final plans to M.S.D., C.E. and D.P.W. for certification of cross acceptance
- 5.7.6 Staff Review and Action. On the basis of the reports received from the reviewing offices and agencies regarding submitted and revised plans, the Subdivision Administrator shall determine compliance of the Improvement Plans with the Preliminary Subdivision Plan as approved by the Planning Commission. If compliance is determined, the applicant shall submit fifteen (15) sets of such plans. Each set shall be stamped "Development authorized to proceed in accordance with this plan" with the signature of the director of the Planning Commission. Stamped sets of approved plans shall be distributed to each reviewing agency. A mylar shall be transmitted to M.S.D.
- 5.7.7 Time Limit on Approval of Improvement (Construction) Plans. Subject to the developer obtaining renewal of M.S.D. approval, which is good for one (1) year, approval of Improvement (Construction) Plans shall be good for two (2) years from the date of approval and shall authorize the developer to commence construction

5.8 **FINAL RECORD PLAT.**

5.8.1 **Purpose.** The purpose of the Final Record Plat ("Final Plat") is to create lots or parcels for use as building sites, enable simple transfer of said lots or parcels without the need of legal description of each, ensure that all conditions, engineering plans and other requirements have been completed or fulfilled, and certify that required improvements have been installed, or guarantees properly posted for their completion prior to recordation of the Final Plat of the subdivision (per O.R.C.).

5.8.2 **Application.** Application for Final Plat approval shall be accompanied by ~~the~~ any fee indicated on the Subdivision Fee Schedule and shall contain all information required by the County Engineer, M.S.D., G.C.W.W. (or other applicable agency), D.P.W., and such information as may be required from time to time by the Planning Commission. In all instances, however, the application shall contain the following:

- (a) The dates of approval of the Preliminary Subdivision Plan and Improvement (Construction) Plans and identification of any changes from such approved plans.
- (b) The Drawing: The Final Plat of subdivision shall be clearly and legibly drawn in black ink upon mylar at an appropriate scale from an accurate survey. It shall be drawn on one or more sheets whose dimensions are twenty-four inches by thirty-six inches (24" x 36"). If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one sheet and the component areas shown on the other sheet or sheets. Two (2) prints or copies of the Final Plat shall be submitted. Additional prints may be required by the Subdivision Administrator for distribution to other reviewing agencies. Submittal of a digital image (as defined in Section 3.2) of the Final Plat, through either email or recordable media, in addition to required prints is encouraged but not required. A reduced copy of the plat (8.5" x 11" or 11" x 17") is required for public hearings. The Final Plat of the subdivision shall show:

Items Pertaining to Title

- (1) Name of the subdivision.
- (2) Location by section, township, range (or Military Survey Number and Name), county, state.
- (3) Names and addresses of ~~owner~~ the developer and engineer.
- (4) Scale, –not smaller than 1 inch = 50 feet, shown by a bar scale on each sheet.

(5) Date.

(6) North Point.

Graphic Items Pertaining to Plat.

(7) Boundary of the plat, with accurate distances and bearings, and its acreage.

(8) Exact location and width of all ~~streets~~rights of way, and crosswalkways, within and adjoining the plat. The names of new streets shall not duplicate or too closely approximate, phonetically, the name of any other street in Hamilton County or nearby jurisdictions.

(9) Bearings and distances to the nearest established street lines, political subdivision boundaries, section or patent corners, or other official monuments.

~~(10) Names and streets within and adjoining the plat. The names of new streets shall not duplicate or too closely approximate, phonetically, the name of any other street in Hamilton County.~~

~~(11)~~(10) Lengths of all arcs, radii, internal angles, points of curvature and tangent bearings.

~~(12)~~(11) Exact locations and widths of all easements for right-of-ways provided for public services or utilities, and any limitations of such easements.

~~(13)~~(12) All lot numbers and lines, with accurate dimensions in feet and hundredths, and with bearings or angles related to street, and alley or crosswalkway lines.

~~(14)~~(13) Accurate description of location, material, and size of all monuments in accordance with the requirements of Section 711.03 of the Ohio Revised Code and the current Rules and Regulations of the ~~e~~Office of the County Engineer.

~~(15)~~(14) Accurate outlines of any areas to be dedicated or reserved for public use, with the purposes indicated thereon: and of any area to be reserved by deed covenant for common use of all property owners in the subdivision.

~~(16)~~(15) Accurate outlines of all debris pits as constructed.

- (~~17~~16) Building setback lines, shown graphically along all streets, with dimensions, if required by the jurisdiction having zoning authority.
~~This requirement is applicable wherever there are no zoning provisions or wherever such setbacks are greater than those required by prevailing zoning.~~
- (~~18~~17) Base flood elevations for each lot or parcel, and the boundaries of Special Flood Hazard Areas, if applicable, including floodways.

Other Items Pertaining to Plat.

- (~~19~~18) Notation regarding protective covenants, if any are to be incorporated in deeds, unless shown on the plat.
- (~~20~~19) Closure calculations of the perimeter or boundary of the subdivision which comply with the requirements of the current Rules and Regulations of the ~~e~~Office of the County Engineer. The County Engineer may accept closure calculations on a separate sheet.
- (~~21~~20) Certification by a registered surveyor in the State of Ohio to the effect that the plat represents a survey made and closed by him and that all the monuments shown thereon actually exist, and that their location, size, and material are correctly shown.
- (~~22~~21) A signed and notarized certification by the owner or owners, of his or their adoption of the plat, and dedication of streets, easements, and any other public areas.
- (~~23~~22) Notation giving deed reference and County Auditor reference of last transfer of title to owner making dedication.
- (~~24~~23) Description of restrictions on sewer easements, if such easements are involved.
- (~~25~~24) Description of restrictions on water main easements, if such easements are involved.
- (~~26~~25) "As-built" centerline of sanitary sewer with bearings, distance and ties to R.O.W.~~Description of lighting district, if street lights are involved.~~
- (~~27~~26) Space for statement of approval by the Planning Commission with lines for signature and date.

(~~28~~27) Space for statement of acceptance of land to be dedicated by the owner, such as streets or other public areas, with lines for signature and date.

(~~29~~28) Where physical improvements are not complete, a "Note" to the effect that streets and crosswalkways dedicated by the plat are not accepted until all physical improvements are completed according to the approved Improvement (Construction) Plans on file in the office of the County Engineer, and acceptance is entered in the Road Records of said office.

(~~30~~29) A note indicating agreement by the owner/subdivider to clean and maintain all public ways, sewers and drainage facilities during the period prior to acceptance as a public street by the County. This shall include the removal of snow, ice, mud, debris, trash and other extraneous material.

(~~31~~30) Summary letter by a geotechnical engineer stating that debris pits were constructed in accordance with the plans, cross sections, details and specifications contained in the approved improvement (construction) plans.

(~~32~~31) Reserved For Future Use

(~~33~~32) Seal and signature of a registered surveyor licensed to practice within the State of Ohio.

5.8.3 Subdivision Administrator Review and Action.

- (a) Upon submission of a Final Plat to the Subdivision Administrator for approval by the Planning Commission, the Subdivision Administrator shall first determine pursuant to Section 5.1.3 if the application for Final Plat approval is complete. If the Subdivision Administrator determines that the application for Final Plat approval is not complete, he shall notify the applicant in writing of the deficiencies (the "Record Plat Completeness Report") and, at the same time, provide applicant with a form by which the applicant can advise the Subdivision Administrator in writing, pursuant to Section 711.10 of the Ohio Revised Code, whether the applicant wishes to extend the time for approval of the Final Plat in order that the deficiencies in the application can be corrected. Notwithstanding the Subdivision Administrator's notice of deficiencies to the applicant, the Subdivision Administrator shall, within five (5) days of submission of any application that did not receive Preliminary Subdivision Plat approval by the Planning Commission, place the application for Final Plat approval on the agenda of the Planning Commission. Consideration by the Planning Commission of said agenda item shall only be delayed upon receipt by the Subdivision

Administrator of written notice from the applicant agreeing to an extension of time for approval of the Final Plat in order to provide the applicant with time to correct the deficiencies identified by the Subdivision Administrator.

- (b) If, upon submission of a Final Plat to the Subdivision Administrator for approval by the Planning Commission, the Subdivision Administrator determines pursuant to Section 5.1.3 that the application is complete, he shall, at least seven (7) days prior to next meeting of the Planning Commission, place the Final Plat on the agenda of the Commission together with a certificate showing that the specifications and technical details have been reviewed and approved.

5.8.4 Planning Commission Review and Action. Within thirty (30) calendar days of the submission to the Commission of the application for Final Plat approval, the Planning Commission shall approve or disapprove the Final Plat. Approval of the Final Plat shall be conditional upon compliance with all other applicable statutes and resolutions of the State of Ohio and Hamilton County.

- (a) If the decision of the Planning Commission on the Final Plat of subdivision is for disapproval, the Planning Commission shall, in its motion, state the reason or reasons for such disapproval, including the rules or provisions with which the Final Plat does not comply. The refusal to approve shall be endorsed on the Final Plat.
- (b) If the Final Plat that is approved by the Planning Commission was submitted without prior submittal and approval of a Preliminary Subdivision Plan, the Planning Commission shall on the date of its approval endorse the original and one copy of the Final Plat.
- (c) If the Final Plat of subdivision was approved by the Planning Commission at the time of the approval of the Preliminary Subdivision Plan subject to the certification procedure provided for in Section 5.6.56(f), the Final Plat, upon favorable review by applicable offices and agencies and the Subdivision Administrator's filing with the Commission of a certificate certifying conformance of the Final Plat with the Improvement (Construction) Plans, shall be deemed approved as of the date of the filing of said certificate and said Planning Commission approval shall be endorsed on the original and one copy of the Final Plat by the Director of the Regional Planning Commission or his authorized representative.

5.8.5 Submission to State Director of Transportation. Before any preliminary plan, improvement plan, or record plat is approved affecting any land within three hundred feet (300') of the centerline of a proposed new highway, or a highway for which changes are proposed as described in the certification to local officials by the State Director of Transportation of any land within a radius of

five hundred feet (500') from the point of intersection of centerline with any public road or highway, the Planning Commission shall give notice, by registered or certified mail, to the Director. The Planning Commission shall not approve the plat for one hundred twenty (120) days from the date the notice is received by the Director. If the Director notifies the Planning Commission that the director shall proceed to acquire the land needed, then the Planning Commission may refuse to approve the plat, according to the provisions of Section 5511.01 of the Ohio Revised Code. At the request of the subdivider, the Planning Commission may give tentative approval and allow the subdivider to proceed with completion of the subdivider's plat. However, it shall be clearly understood that the subdivider proceeds at the subdivider's own risk and the tentative approval will be withdrawn if the Director of the Department of Transportation proceeds to acquire the land. If the Director notifies the Planning Commission that acquisition at this time is not in the public interest, or upon the expiration of the one hundred twenty (120) day period or any extension thereof agreed upon by the Director and the property owner, the Commission shall, if the plat is in conformance with all provisions of these Rules and Regulations, approve the plat.

5.8.6 Recording of Final Plat.

- (a) Upon approval of the Final Plat by the Planning Commission, but prior to the Subdivision Administrator's filing of the certification of compliance with the Improvement (Construction) Plans pursuant to Section 5.8.4, the Final Plat shall be forwarded to the following offices and agencies for their respective signatures pending review.
 - (1) Metropolitan Sewer District and Department of Public Works: Review of proposed easements;
 - (2) County Engineer (in cooperation with M.S.D. and D.P.W.): Determination of the amount of surety required to guarantee completion of improvements and review of survey closure.
 - (3) Other applicable offices and agencies as determined by the Subdivision Administrator.
- (b) Upon receipt by the County Engineer of the approvals required by Subsections 5.8(a)(1) and (3) and of the surety required by Subsection 5.8(a)(2), the County Engineer will notify the Planning Commission, which will obtain the signatures of the County Administrator (certifying County acceptance of rights-of-way and easements) and the Executive Director of Regional Planning Commission and then shall release the mylar to the subdivider for recording.
- (c) Upon receipt by the subdivider of the mylar, the subdivider shall cause the Final Plat to be recorded in the office of the Auditor and Recorder of

Hamilton County within six (6) months after the date of Planning Commission endorsement pursuant to Section 5.8.4(b) or Section 5.8.4(c), as the case may be, and prior to recording shall provide the Subdivision Administrator with eight (8) copies thereof; the subdivision administrator shall transmit two (2) prints to the township trustees and one (1) print to the County Engineer's sign shop requesting installation of street signs. An approved Final Plat which is not recorded within the six (6) month time period may be recalled by the Planning Commission for reconsideration. An approved Final Plat which is not recorded within the six (6) month time period may be considered void unless an extension is requested in writing by the subdivider and granted in writing by the Planning Commission. Six (6) month extensions may be granted by the Planning Commission.

12.3 STREETS.

12.3.6 Public Street Classification and Design Standards.

- (a) Each street in a subdivision shall be classified and designed in accordance with the standards set forth in the Rules and Regulations of the office of the County Engineer.
- (b) In areas of sensitive natural resources, the Planning Commission may recommend to the County Engineer that a variation be granted to the horizontal alignment of minor streets in order to avoid the destruction of mature trees or other important natural features pursuant to Section 12.3.1(e).

- (c) A PUD Public Street (as defined in section 3.2) shall comply with the following requirements:

(1). Zoning – The PUD and the use of the PUD Public Street Standard in the PUD shall be approved by the applicable zoning jurisdiction prior to approval of the preliminary subdivision plan.

(2) Street Design – the use of the PUD Public Street Standard in the proposed subdivision shall be approved by the County Engineer prior to approval of the preliminary subdivision plan.

(3) Circulation - No PUD Public Street shall serve as a ~~through collector~~ or arterial street.

(4) Off-street Parking - A minimum of four off-street parking spaces shall be provided per single family dwelling unit (e.g., two enclosed parking spaces and two off-street parking spaces on a driveway)

(5) On-street Parking - Parking shall be prohibited on one side (the fire hydrant side) of all PUD Public Streets.

- ### 12.3.7 Private Streets Classification and Design Standards. ~~A private street, other than an access road, shall only be permitted as part of a planned unit development approved pursuant to the applicable zoning resolution. The maximum number of units which may be served by the private street shall be determined pursuant to the procedures for planned unit development approval. The private street shall conform to the following standards:~~

- (a) A private street, other than an access road, shall only be permitted as part of a planned unit development approved pursuant to the applicable zoning resolution. [note: this requirement was moved from paragraph above]

- (b) A private street, other than an access road, shall only be permitted in a residential subdivision where the minimum lot size is one acre or where at least one off-street guest parking space is provided for every four dwelling units in addition to parking required by the applicable zoning authority.
- (c) The terminus of a private street shall not be more than a quarter mile (1,320 feet) from a public street.
- (d) The maximum number of units which may be served by the private street shall be determined pursuant to the procedures for planned unit development approval. [note: this requirement was moved from paragraph above]
- (e) ~~Private streets, d~~Driveways and access roads shall also comply with any applicable specifications of the Hamilton County Building Code. *[previously item (d)]*
- (f) The construction of private streets shall conform to the typical sections and construction standards for the "AA" Street and typical cul-de-sac sections described in the Rules and Regulations of the County Engineer Governing Subdivisions. *[previously item (a)]*
- (g) The private street shall be maintained as part of a maintenance agreement which shall be recorded and shall be the responsibility of a homeowners association or condominium association. *[previously item (b)]*
- (h) No private street shall serve as a through street to other neighborhoods or subdivisions. *[previously item (c)]*
- (i) Parking shall be prohibited on private streets, and signs indicating "Parking Prohibited" shall be posted by the developer, unless adequate width is provided waived by the Hamilton County Regional Planning Commission. *[previously item (e)]* The signs shall be maintained by the property owners.
- (j) A sign indicating "Private Street / End Public Maintenance" shall be posted by the developer at the entrance to the private street prior to record plat approval. The sign shall be maintained by the property owners.
- (k) Pavement and easement widths for private access facilities shall conform to the following standards: *[previously item (f)]*

(k)

TABLE 12.3.7 (f) PAVEMENT AND EASEMENT WIDTHS FOR PRIVATE ACCESS FACILITIES			
Type	Easement Width	Minimum Pavement Width	<u>Construction Standards</u>
Access Road (serving 3 to 6 lots]	30 ft.	16 ft. (18 ft. if waterline is installed)	<u>Per Appendix E</u>
Private Street - PUD (serving more than 6 lots]	30 ft <u>40 ft</u>	22 ft. (with curbs and gutters)	<u>Per County Engineer Regulations</u>

12.3.10 Residential Streets - Cul-de-Sacs; Stubs. Dead-end streets shall be permitted as permanent only with an approved cul-de-sac or other appropriate turn-around facility. Temporary dead-end streets with temporary turn-around provisions that meet the specifications of the County Engineer shall be permitted as part of a Planning Commission approved continuing street plan.

(a) Cul-de-Sacs Having Single Public Access. A cul-de-sac, series of cul-de-sacs, or any other combination of permanent dead-end streets shall not provide access to more than thirty (30) lots, provided, however, that the Planning Commission may approve (apart from the standards for variations set forth in Section 6) a subdivision or the extension of a street, which will result in frontage to more than thirty (30) lots having only one access, upon making findings and conclusions that justify ~~such~~ length-the number of lots relative to consideration of the following factors:

- (1) Total number of lots that access on the cul-de-sac or dead-end street design;
- (2) Size of lots;
- (3) Type of street section;
- (4) Right-of-way width;
- (5) Street gradients;
- (6) Size of turn-around;

- (7) Availability of intermediate turn-arounds;
- (8) Availability of water lines and fire hydrants at proper capacity levels;
- (9) Availability of sanitary sewers;
- (10) Topography (on-site and off-site) and environmental impact of any future extension of a stub street;
- (11) Potential and feasibility of any future connection of a stub street to an existing or planned street.
- ~~(44)~~12) Availability of alternate emergency access;
- ~~(42)~~13) Traffic as measured by average daily trip (ADT) rate;
- ~~(43)~~14) Length of cul-de-sac;
- ~~(44)~~15) Recommendation of adopted township plan.

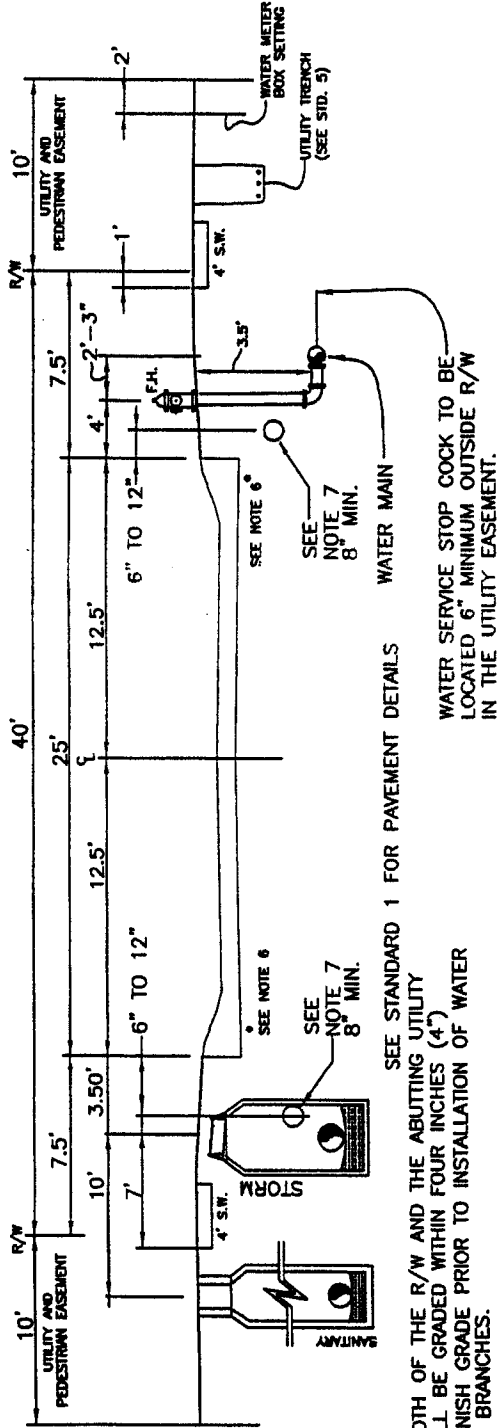
ATTACHMENTS

Typical Section for P.U.D. Public Street Standard
(from County Engineer's Regulations)

Comparison Of Current and Proposed Procedures
(summary of approval steps)

Subdivision Approval Steps
(final version without markup)

TYPICAL SECTION FOR P.U.D. PUBLIC STREET



SEE STANDARD 1 FOR PAVEMENT DETAILS

1. THE ENTIRE WIDTH OF THE R/W AND THE ABUTTING UTILITY EASEMENT SHALL BE GRADED WITHIN FOUR INCHES (4\") OF THE FINISH GRADE PRIOR TO INSTALLATION OF WATER MAIN SERVICES BRANCHES.

2. THE INSTALLATION OF WATER MAINS AND HOUSE SERVICE BRANCHES SHALL BE PERFORMED PRIOR TO SUBGRADE AND THE INSTALLATION OF ELECTRIC, TELEPHONE AND CABLE TV LINES. NO JOINTS WILL BE PERMITTED IN THE SERVICE BRANCH BETWEEN THE STOP COCK AND THE METER SETTING.

3. THE INSTALLATION OF SANITARY SEWERS, INCLUDING HOUSE LATERALS SHALL BE THE FIRST ITEM OF UNDERGROUND WORK PERFORMED WITHIN THE DEVELOPMENT UNLESS OTHERWISE SPECIFICALLY AUTHORIZED BY THE HAMILTON COUNTY ENGINEER.

4. SANITARY LATERALS SHALL BE CONSTRUCTED TO THE LIMITS OF THE UTILITY EASEMENTS AND AT THE SAME TIME THAT THE SEWER IS INSTALLED.

5. MANHOLE CASTING (FRAME AND LID) SHALL BE SET TO MATCH CROSS SLOPE.

6. SEE STD. PLATE 3 FOR DETAIL OF DRAINS AT SAG POINTS IN VERTICAL PROFILE.

7. LOCATIONS OF 8\"/>

** LOCATION OF WATER METER BOX SHALL GENERALLY BE SEVEN FEET (7') BEYOND THE R/W LINE. IN SPECIAL CASES DUE TO PHYSICAL ENCUMBRANCES THE METER BOX MAY BE LOCATED BETWEEN FIVE FEET (5') AND TEN FEET (10') FROM THE PROPERTY LINE AS DETERMINED BY THE WATER WORKS. IN THOSE CASES WHERE THE NORMAL SEVEN FEET (7') DIMENSION IS EXCEEDED THE SERVICE BRANCH SHALL BE EXTENDED A MINIMUM OF THREE FEET (3') BEYOND THE BOX IN THE ORIGINAL INSTALLATION. THE END OF THE WATER SERVICE BRANCH SHALL BE CAPPED UTILIZING A FLARED COPPER TO IRON FITTING AND A BRASS PLUG. THE BRANCH SHALL BE PRESSURIZED FROM MAIN TO PLUG.

8. INCLUSION OF SIDEWALK SHALL BE AS DETERMINED BY THE HAMILTON COUNTY REGIONAL PLANNING COMMISSION AND / OR THE TOWNSHIP
9. SIDEWALK INSTALLED IN THE EASEMENT SHALL BE MAINTAINED BY THE HOME OWNERS.

HAMILTON COUNTY		8
SUBDIVISION		
STANDARD		
DATE	4-1-08	RJA

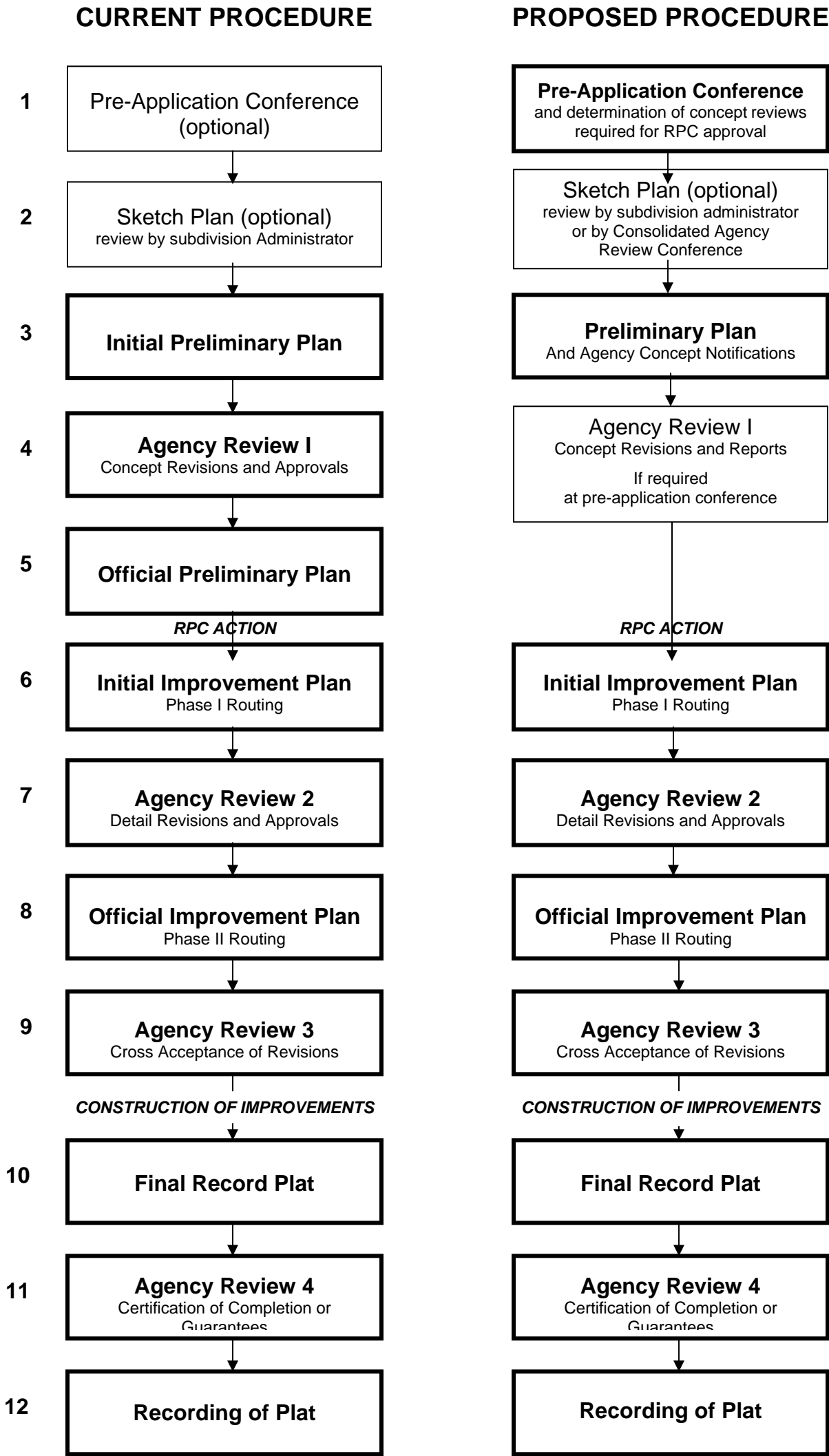
HAMILTON COUNTY REGIONAL PLANNING COMMISSION

Subdivision Approval Steps

for Major Subdivisions Requiring New Public Improvements

Comparison of Current and Proposed Procedures

APPROVED BY HCRPC ON AUGUST 3, 2006
FOR CONSIDERATION BY BOCC ON SEPTEMBER 13, 2006



**HAMILTON COUNTY
REGIONAL PLANNING COMMISSION**

**SUBDIVISION APPROVAL STEPS
FOR MAJOR SUBDIVISIONS
REQUIRING NEW PUBLIC IMPROVEMENTS**

ALTERNATIVE I (4.2.2)

Alternative I is recommended for all subdivisions where public improvements will be constructed after submittal of application. See Alternative II for frontage subdivisions and other major subdivisions where all public improvements are completely built or assured.

PRE-APPLICATION CONFERENCE

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Request Pre-Application Conference	Applicant	Subdivision Administrator	
2. Pre-Application Conference	Subdivision Administrator		
3. Identify any Concept Approvals that will be required	Subdivision Administrator	Applicant	Within 5 working days after Conference

SKETCH PLAN PROCEDURE (Optional)

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Submit Sketch Plan (Optional: Request Consolidated Agency Review Conference if desired by applicant)	Applicant	Subdivision Administrator	
2. Transmit Sketch Plan Completeness Report and schedule Pre-Application Conference (Optional: If requested by applicant, transmit Sketch Plan to agencies and schedule Consolidated Agency Review Conference)	Subdivision Administrator (Subdivision Administrator)	Applicant (Agencies)	Within 5 working days after submittal Within 5 working days after submittal
3. Pre-Application Conference (Optional: If requested by applicant, hold Consolidated Agency Review Conference)	Subdivision Administrator (Subdivision Administrator)	Applicant (Applicant and Agencies)	Within 5 working days after submittal Within 10 working days after transmittal to agencies
4. Transmit Sketch Plan approval	Subdivision Administrator	Applicant	Sketch Plan Approval expires in 1 year

PRELIMINARY SUBDIVISION PLAN PROCEDURE

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Submit Preliminary Subdivision Plan and Fee	Applicant	Subdivision Administrator	At least 14 calendar days before the RPC meeting at which action is desired
2. Notify Applicant if Application is Incomplete	Subdivision Administrator	Applicant	Within 5 working days after submittal of the application
3. Notify Agencies of Application (and transmit plan); request concept approvals as needed)	Subdivision Administrator	Agencies	Within 5 working days after submittal of the application
4. Agencies certify concept approvals or reports (if requested)	Agencies	Subdivision Administrator	Within 10 business days from the date of request from the Subdivision Administrator
5. Transmit Notice of Placement on RPC Agenda	Subdivision Administrator	Township Clerk and Applicant	Within 5 days after receipt of a complete application and at least 7 days prior to RPC Meeting
6. RPC Public Hearing	Subdivision Administrator		Within 35 business days of submission of the complete application (RPC considers applications subject to conformity with all applicable laws and rules of all offices and agencies having jurisdiction)
7. Transmit Notice of Decision and Copy of Plan	Subdivision Administrator	Township and applicant	

IMPROVEMENT (CONSTRUCTION) PLAN PROCEDURE

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Submit Improvement (Construction) Plans	Applicant	Subdivision Administrator	
2. Transmit Improvement Plan Completeness Report	Subdivision Administrator	Applicant	Within 5 working days after submittal of the plan
3. Distribute for Agency Reviews	Subdivision Administrator	C.E., M.S.D., C.W.W., D.P.W., T.T., Z.A. & other agencies	Within 5 working days after submittal of the plan
4. Transmit Agency Approvals	Each Agency	Subdivision Administrator	
5. Transmit Requests for Cross-Acceptance of Revisions (Phase II routing of 4 sets of plans)	Subdivision Administrator	M.S.D., C.E., D.P.W.	
6. Transmit Agency Cross-Acceptance	M.S.D., C.E., D.P.W.	Subdivision Administrator	
7. Transmit 15 sets of plans	Applicant	Subdivision Administrator	
8. Transmit Approved Improvement Plans	Subdivision Administrator	All Reviewing Agencies	

RECORD PLAT PROCEDURE

(If the Final Plat was approved conditionally by RPC at the time of the approval of the Preliminary Subdivision Plan)

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Submit Final Record Plat	Applicant	Subdivision Administrator	
2. Transmit Record Plat Completeness Report	Subdivision Administrator	Applicant	Within 5 working days after submittal of Plat
3. Transmit Requests for Agency Approval & Surety Signatures (certifications of completion or posting of guarantees for required improvements)	Subdivision Administrator (or applicant)	Applicable agencies (M.S.D., C.W.W., D.P.W., C.E., Board of Health, and zoning)	Within 5 working days after submittal of Plat
4. File Certificate of Conformance with Improvement Plans	Subdivision Administrator (signature of RPC Executive Director)	File and Applicant	Within 30 calendar days after submittal of Plan
5. Obtain County Acceptance of Easements and ROW and Release Mylar Record Plat	Subdivision Administrator (signature of County Administrator)	Applicant	After bond is posted
6. Submit 6 Copies of Approved Plat	Applicant	Subdivision Administrator	
7. Record the Final Record Plat	Applicant	Auditor and Recorder	Within 6 months after the date of Planning Commission endorsement

Section 4.3 Chart Summary of Approval Steps
As Recommended by Hamilton County Regional Planning Commission on August 3, 2006

8. Distribute Copies of Recorded Plat	Subdivision Administrator	M.S.D., C.E., D.P.W, C.W.W., Twp. Trustees; other applicable agencies; RPC File	
---------------------------------------	---------------------------	---	--

**HAMILTON COUNTY
REGIONAL PLANNING COMMISSION**

**APPROVAL STEPS FOR MAJOR SUBDIVISIONS
WITH PUBLIC IMPROVEMENTS ALREADY BUILT OR ASSURED**

ALTERNATIVE II (4.2.2)

Alternative II is recommended only for frontage subdivisions and other major subdivisions where all public improvements are completely built or assured prior to submittal of application. See Alternative I for subdivisions where public improvements will be constructed after submittal of application.

PRE-APPLICATION CONFERENCE

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Request Pre-Application Conference	Applicant	Subdivision Administrator	
2. Pre-Application Conference	Subdivision Administrator		
3. Identify conclusions	Subdivision Administrator	Applicant	Within 5 working days after Conference

SKETCH PLAN PROCEDURE (Optional)

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Submit Sketch Plan	Applicant	Subdivision Administrator	
2. Transmit Sketch Plan Completeness Report and schedule Pre-Application Conference	Subdivision Administrator	Applicant	Within 5 working days after submittal
3. Pre-Application Conference	Subdivision Administrator	Applicant	Within 5 working days after submittal
4. Transmit Sketch Plan approval	Subdivision Administrator	Applicant	Sketch Plan Approval expires in 1 year

RECORD PLAT PROCEDURE

(If the Final Plat was not approved conditionally by RPC
at the time of the approval of a Preliminary Subdivision Plan)

STEP	RESPONSIBILITY	DELIVER TO	SCHEDULE
1. Submit Final Record Plat & Fee and Certifications of Completion or posting of guarantees for Required Private Improvements	Applicant	Subdivision Administrator	
2. Transmit Record Plat Completeness Report	Subdivision Administrator	Applicant (if incomplete)	Within 5 working days after submittal of plat and fee
3. Transmit Notice of Placement on RPC Agenda	Subdivision Administrator	Township Fiscal Officer, Board of Health, and Applicant	Within 5 working days after Notice of Placement on RPC Agenda; and at least 7 days prior to next RPC meeting
4. Transmit Requests for Review	Subdivision Administrator	D.P.W., C.E., M.S.D., C.W.W., & other agencies	Within 5 working days after Notice of Placement on RPC Agenda
5. RPC Public Meeting and Motion to Consider Approval of Final Plat	Regional Planning Commission		Within 30 calendar days after submittal of plat and fee
6. Transmit Mylar for Agency Approval (& Surety Signatures)	Applicant,	M.S.D., D.P.W., Subdivision Administrator	
7. Obtain Signature of RPC Executive Director	Subdivision Administrator		
8. Obtain County Acceptance of Easements and ROW and Release Mylar Record Plat	Subdivision Administrator (signature of County Administrator)	Applicant	
9. Submit 8 Copies of Plat to be Recorded	Applicant	Subdivision Administrator	
10. Record Final Plat	Applicant	Auditor & Recorder of Deeds	Within 6 months after the date of Planning Commission endorsement
11. Distribute Copies of Recorded Plat	Subdivision Administrator	M.S.D., C.E., D.P.W, C.W.W., Twp. Trustees; other applicable agencies; RPC File	

HAMILTON COUNTY
REGIONAL PLANNING COMMISSION

RECORD OF PROCEEDINGS – AUGUST 3, 2006

PAGE 3

PROPOSED
SUBDIVISION
AMENDMENT:

HCRPC 2006-01; HAMILTON COUNTY SUBDIVISION RESOLUTION TEXT AMENDMENTS

PURPOSE:

To amend the Rules and Regulations of the Hamilton County Regional Planning Commission for Plats and Subdivision of Land within the Unincorporated Territory of Hamilton County, Ohio for the following purposes:

1. to assure compliance with revisions in state law (per Senate Bill 115) by revision of application requirements
2. to enable centralized and expedited processing of applications by adopting a consolidated application form for HCRPC, HCDPW, HCGHD, HCE, HCSWCD, MSDGC, GCWW
3. to enable digital or electronic submission of plans, reports or other documents
4. to clarify criteria for use of private streets, assure adequate easement area for utilities, and clarify that private streets must comply with public street construction standards described in the Rules and Regulations of the County Engineer
5. to reduce the need for private streets, and encourage construction of public streets whenever possible, by adopting public street standards with reduced right-of-way and pavement width for compact development in Planned Unit Developments (PUDs)
6. to reflect the availability of a "PUD Public street," identify criteria for approval of this smaller street standard, and create consistency with Hamilton County Engineer's regulations
7. to clarify definitions and criteria for approval of cul-de-sac streets providing access to more than 30 lots
8. to provide the option of a consolidated agency review conference in the sketch plan process
9. to expedite the Preliminary Plan review cycle by enabling RPC conditional approval subject to certification of compliance with all other applicable laws and rules of other offices and agencies having jurisdiction (as now permitted by state law)

INITIATED BY:

Hamilton County Regional Planning Commission on May 4, 2006 (for amending Sections 3.2, 5.6, 5.7, 5.8, 12.3 and related sections)

SPEAKERS:

R. Miller

DISCUSSION:

(Summary of Topics)

Staff Comments:

1. **R. Miller** – Review of staff report and recommendations and 21 additional revisions recommended by various agencies.
2. We have had substantive comments submitted within the last week resulting in staff recommendations for additional amendments
3. Prosecutor recommended only one change to be in compliance with state law.

Commissioner Comments:

1. **Commissioner Franke** – The change to Section 5.8.2 (31) recommended by the Board of Health is not necessary since the requirement is already stated in the Board of Health regulations. I do not support the requirement since the number of registered maintenance providers in Hamilton County may not be sufficient to enable compliance at reasonable cost.

2. **Commissioner Misrach** – In Section 5.6.3 (d), the requirement for a letter from Ohio EPA should instead be a letter from MSD.

MOTION:

To approve the Subdivision Text Amendments in Case 2006-01 (amending the Rules and Regulations of the Hamilton County Regional Planning Commission for Plats and Subdivisions of Land within the Unincorporated Territory of Hamilton County, Ohio) including all revisions recommended by staff per Attachment A, and including 20 additional revisions presented and recommended by staff on August 3, 2006 based on agency and public comments; and to transmit the approved text amendment to the Board of County Commissioners for public hearing and adoption of the text amendments.

NOTE:

ORC 711.10 precludes a planning commission from adopting any requirements for the construction of improvements or performance guarantees unless such requirements have first been adopted by the county commissioners after a public hearing. Therefore, HCRPC will officially adopt the amendments after BOCC adoption.

Moved: Okum

Second: Martin

VOTE:

AYE:	7	Linnenberg, Martin, Misrach, Okum, Sprague, Tarbell, Franke
NAY:	0	
ABSTAIN:	0	

RPC

ACTION:

Approval of the amendments and transmittal to BOCC for public hearing and adoption

ATTEST:

Chairman: _____ Secretary: _____
